



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY,
NY 12230

New York State Archives
Tel. 518-474-6926

To: Local Education Officials
From: Geoffrey A. Huth, Director, Government Records Services
Subject: *Records Retention and Disposition Schedule ED-1*
Date: June 15, 2011

Records Retention and Disposition Schedule ED-1, last revised in 2004, contains the following advice in the Introduction regarding retaining records beyond their legal minimum retention periods for legal actions:

Some records may be needed to defend the local government in legal actions. Records that are being used in such actions must be retained for the entire period of the action even if their retention period has passed. **If the retention period has expired by the time the legal action ends, the record must be retained for at least one additional year** to resolve any need for the record in an appeal. If the retention period has **not** expired, the record must be retained for the remainder of the retention period, but not less than one year after the legal action ends... Prior to disposing of records, local officials may wish to consult with their attorney to verify that no legal actions have been initiated which would require continued retention of the records or retain records for an additional several months beyond the end of the minimum retention period in the event that legal actions have been initiated near the end of that period which have not yet come to the attention of the records custodian.

On April 1, 2007, Chapter 13 of the State Finance Law, known as the "False Claims Act," went into effect. The law allows a local government to bring a civil action to recover financial losses from a fraudulent claim in triplicate, and in addition allows a private citizen with inside knowledge of such fraud to receive up to 30% of the proceeds. The broad scope of this statute covers almost any false claim or statement that involves a demand for payment from the local government or which deprives the government of revenues. Section 192 of this statute permits any legal action to be commenced "no later than ten years after the date on which the violation of this article is committed." This legal requirement may require that certain records covered by this schedule be retained for longer than their stated legal minimum retention periods, in some cases up to 10 years. This longer retention may not only involve specific records covered by items found in the Fiscal section, but also other records found throughout the schedule needed for supplementary documentation. In instances involving potential actions under the "False Claims Act," local officials may wish to consult with their attorney to verify whether any specific records warrant longer retention.

The New York State Archives intends to include this additional language in the Introduction of future editions of the *Schedule ED-1*. I invite you to contact my office or the State Archives'

Regional Advisory Officer (RAO) in your region if you have any questions about how this statute affects the use of *Schedule ED-1*.



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To: Local Education Officials
From: Geoffrey A. Huth, Director, Government Records Services
Subject: *Records Retention and Disposition Schedule ED-1*
Date: May 16, 2011

Records Retention and Disposition Schedule ED-1, last revised in 2004, includes an item, Records filed by contractor or sub-contractor with local government related to public works project, in the Public Property and Equipment section. This item, #486, in the current version of the *Schedule ED-1*, authorizes records destruction three years after contract completion.

The Laws of 2008 (Chapter 8) effectively revised Section 220 (3-a) of the Labor Law upon which the retention and disposition of this contractor records item was based. The revised law lengthens the retention period of contractor records to five years after contract completion. To avoid premature destruction of these records, education officials should cease destroying records as authorized by the relevant item and should instead follow the indicated retention period prescribed by law and by the proposed new item below. The New York State Archives intends to revise this item in future editions of the *Schedule ED-1*.

The proposed revision of the item is as follows:

[] **Records filed by contractor or sub-contractor with local government related to public works project**, pursuant to Section 220 (3-a), Labor Law, including but not limited to copy or abstract of payroll, classification of workers employed on a project, and statement of work to be performed by each classification:

RETENTION: 5 years after contract completion

Please be aware that the proposed revisions are tentative until they are formally approved. I invite you to contact my office or the State Archives' Regional Advisory Officer (RAO) in your region if you have any questions about the *Schedule ED-1* or comments on the proposed revision.

RECORDS RETENTION AND DISPOSITION
SCHEDULE ED-1

Section 185.12, 8NYCRR (Appendix I)

FOR USE BY
SCHOOL DISTRICTS
BOCES
COUNTY VOCATIONAL EDUCATION AND EXTENSION BOARDS
TEACHER RESOURCE AND COMPUTER TRAINING CENTERS

The University of the State of New York
THE STATE EDUCATION DEPARTMENT
New York State Archives
1988, revised 2004

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Center, Albany, NY 12230.

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INTRODUCTION

Purpose

This revised Records Retention and Disposition Schedule indicates the minimum length of time that local officials must retain their records before they may be disposed of legally. It is a revised edition of *Records Retention and Disposition Schedule ED-1*, originally issued in 1988, and revised since then. It has been prepared and issued by the State Archives, State Education Department, pursuant to Section 57.25 of the Arts and Cultural Affairs Law, and Part 185, Title 8 of the *Official Compilation of Codes, Rules and Regulations of the State of New York*.

The purposes of this Schedule are to:

(1) ensure that records are retained as long as needed for administrative, legal and fiscal purposes;

(2) ensure that state and federal record retention requirements are met;

(3) ensure that record series with enduring historical and other research value are identified and retained permanently; and

(4) encourage and facilitate the systematic disposal of unneeded records.

Adoption and Use of the Schedule

Before records disposition takes place, this Schedule must be formally adopted by resolution of the governing body. Adoption procedures are explained further under “How to Use *Schedule ED-1*.”

If your governing body has already adopted *Schedule ED-1* (1988) by resolution, then you **do not need to adopt the Schedule again** in order to use this revised edition, even though there are major changes between this edition and the previous edition of the Schedule. Once the Schedule has been adopted, local officials may proceed to dispose of records that have met the retention periods specified on the Schedule.

NOTE: School boards of community school districts in New York City **do not need to adopt this Schedule**. The Schedule has already been adopted for their use by the New York City Department of Education. Community school district officials may proceed to dispose of records that have met the retention periods specified in the Schedule.

Previous Schedules Superseded

Records Retention and Disposition Schedule ED-1 supersedes and replaces all Records Retention and Disposition schedules previously issued by the State Archives for use by school districts,

BOCES, county vocational education and extension boards and teacher resource and computer training centers: *1-S-1, 1-S-1A, 1-S-1B, 5-BOCES-1, 5-BOCES-1A* and *10-DS-1*. **The consent of the Commissioner of Education to use these schedules is withdrawn, and they may not be used to dispose of records.** The governing body must adopt *Records Retention and Disposition Schedule ED-1* in order to dispose of any records.

Archival Records

Archival records are records that governments must keep permanently to meet fiscal, legal, or administrative needs of the government or which the government retains because they contain historically significant information. Records do not have to be old to be archival; local officials create and use archival records daily in offices. What makes a record worthy of permanent retention and special management is the continuing importance of the information it contains.

When the State Archives has determined that a record series has enduring historical or other research significance for all local governments, the series has been given a permanent designation on the Schedule. Other record series which may have historical or research significance in some local governments but not in others have an appraisal note to encourage local officials to evaluate the records to determine their importance before disposition. However, the State Archives cannot identify all record series with historical or research significance for individual local governments. Knowledge of people, places, or events in each community and the unique circumstances of each government will determine which records are significant. **Local officials will need to appraise records with nonpermanent retention periods for potential research or historical value before destroying them.**

The usefulness of archival records depends on the government's ability to preserve them, retrieve the information they contain, and make that information available to researchers. Further information on managing archival records is provided in the State Archives' Publication No. 40, *Fundamentals of Managing Local Government Archival Records*.

Appraising Records for Historical or Research Significance

A local government record has historical or other research importance if it provides significant evidence of how the government functions and/or if it provides significant information about people, places or events that involve the government. Since each community has its own unique history, the importance or value of a record series may vary from local government to local government.

Because local governments are continually involved in the lives of people, their records may contain a tremendous amount of information about the people who live there, the buildings and sites within their borders, and the important time periods or significant events that affected the people of the region. Government records can reveal information about what people owned; about attitudes, values and concerns of the citizens; about how the construction of a new highway led to the end of a neighborhood, or about how a community reacted to a military base closing. The

records may contain information about the people, places or events themselves or about the decisions made in relation to them. This information can be very valuable to staff, researchers, and the public, but only if the information itself is significant. The records must contain enough information to adequately document the people, places, or events recorded. The significance of the records will depend on:

- **When the records were created:** records created during a time of momentous change, which are scarce or which cover a long period of time tend to be more significant.
- **What kind of information the records contain:** records that contain more in-depth information are more likely to have enduring value.
- **Who created the records:** records that reflect an employee's perspective or individual point of view may be more significant.
- **What other records exist:** if the information in the records exists in other records within the local government or elsewhere in the state or country, then the records are less likely to be significant.
- **The unique history of the local government or community:** records created during important time periods or events can provide clues to how the events affected the development of the government and the community it serves.

The historical or other research importance of records will vary from local government to local government and from region to region. The people, places, or events in each community, and the unique circumstances of each government, determine which records are significant. Further information on identifying historically significant records is provided in the State Archives' Publication No. 50, *Appraisal of Local Government Records for Historical Value*. State Archives staff can also advise and assist local officials who are appraising records for potential long-term research value.

Records Created Before 1910

Disposition of records created before 1910 requires specific written approval from the State Archives, as required by Section 185.6 (c) of 8NYCRR, the Regulations of the Commissioner of Education. Certain records which would normally be disposable under *Schedule ED-1* may need to be kept if created before 1910. Often these records have continuing historical or research value because:

(1) Other documentation no longer exists. Many earlier records were destroyed through natural disaster or through destruction by public officials prior to the passage of the first state statute in 1911 requiring the consent of the Commissioner of Education to the disposition of local public records;

(2) The volume and type of information contained in records have changed since the

beginning of the 20th century. Older records often have more detailed and historically significant information than those produced today;

(3) Early records sometimes have intrinsic value beyond the information they contain. "Intrinsic value" refers to qualities, such as value for exhibits, association with significant events, and aesthetic value, which records may possess beyond merely the information they contain. Further information on identifying records with intrinsic value is provided in the State Archives' Publication No. 36, *Intrinsic Value of Local Government Archival Records*.

Local officials desiring to dispose of any records created before 1910 should telephone or write the State Archives, to obtain disposition request forms. **This requirement also applies to the disposition of original records predating 1910 which have been microfilmed.** The State Archives will review each request and advise the local government on retention or disposition of the records.

Coverage

Schedule ED-1 is intended for use by:

school districts (including community school districts in New York City and "special act" or institutional school districts)

BOCES

county vocational education and extension boards

teacher resource and computer training centers

This Schedule covers the vast majority of all records of school districts, BOCES, county vocational education and extension boards and teacher resource and computer training centers. For any record not listed, the Records Management Officer, or the custodian of the record, should contact the State Archives to determine if it is indeed covered by this Schedule and if a legal minimum retention period has been established. If not, the State Archives will consult with appropriate state and local officials and users of local government records and advise the local government on the disposition of the records. If the record is not covered by an item on this Schedule, it must be retained until a revised edition of or addendum to *Schedule ED-1* is issued containing an item covering the record in question and providing a minimum legal retention period for it.

Conversely, the State Archives has no legal authority to require local governments to create records where no records exist, even if the records in question are listed on this Schedule. Although there may be laws, regulations or other requirements that certain records must be created, those requirements do not originate from the State Archives. Instead, the purpose of *Schedule ED-1* is to authorize the disposition of records which local governments maintain. The mere fact that a record is identified on this Schedule should not be interpreted as a requirement that

the record must be created.

Canceled Obligations

The disposition of canceled obligations (including bonds and notes) is covered by Section 63.10 of the Local Finance Law and Part 55 of Title 2 of the *Official Compilation of Codes, Rules and Regulations of the State of New York*. A leaflet on this subject is available from the State Archives' Government Records Services. Questions about the destruction procedure should be addressed to the Office of State Comptroller, Division of Legal Services, 110 State Street, Albany, NY 12236; phone, (518) 474-5586.

Records of District Superintendents of Schools

These records are considered records of the State Education Department (SED). Disposition of State government records is governed by the provisions of Section 57.05 (11) of the Arts and Cultural Affairs Law. Disposition under this Law is also coordinated by the State Archives' Government Records Services. For more information, contact the State Archives or SED's Records Management Officer. Contact the State Archives for the name and address/phone number of the current SED Records Management Officer.

HOW TO USE *SCHEDULE ED-1*

Adoption of *Schedule ED-1* and Request for Additional Copies

Before any records listed on *Schedule ED-1* may be disposed of, the governing body must formally adopt the Schedule by passing a resolution. A model resolution is included at the end of the Introduction to this Schedule. It is not necessary to send a copy of the passed resolution to the State Archives.

This Schedule may be used by the local government until the governing body rescinds its authorizing resolution, or the Schedule is superseded or replaced by the State Archives.

Additional copies of *Schedule ED-1* can be obtained by calling the State Archives at (518) 474-6926 or faxing the State Archives at (518) 486-4923. *Schedule ED-1* can also be obtained in electronic format by calling, faxing or writing the State Archives. The State Archives' e-mail address is recmgmt@mail.nysed.gov. *Schedule ED-1* is also available on the Internet at the State Archives' website at <http://www.archives.nysed.gov>.

Arrangement of Items on the Schedule

In general, items on *Schedule ED-1* are arranged as they were in the previous edition, with a few significant exceptions. The Budget, Payroll and Purchasing sections are now subsections of the Fiscal section. The Environmental Health section has been eliminated and items formerly found there are now in the Public Property and Equipment section. The Superintendent section has been eliminated and the item formerly found there is now in a new Administration section. The Compensatory Education section has been replaced with a new Supplemental Education Services section. New sections have been added to cover records of Museums operated by school districts or other educational bodies, for School Safety functions and for Environmental Management functions.

New or Revised Items

Items on this Schedule preceded by a diamond symbol (◆) are either new to this edition or have been substantively changed from the previous edition. They may have longer or shorter retention periods, additional parts, or additional or revised explanatory notes. Please note these changes carefully on your office schedules and/or inventory or records control forms because only the current items as contained in this edition of *Schedule ED-1* are legally applicable.

Unique Item Numbering System

In addition to consecutive numbering of items within each section/subsection of the Schedule, items are also assigned a unique identifying number. That number, which appears in brackets [], does not change as items are revised or relocated in new editions of *Schedule ED-1*. New items in this edition have been assigned new unique identifying numbers regardless of their location in the Schedule.

Interpreting Schedule Items

Many of the Schedule items are broad and describe the purpose or function of records rather than identifying individual documents and forms. Local officials should match the records in their offices with the generalized descriptions on the Schedule to determine appropriate retention periods. Records whose content and function are substantially the same as an item described in the Schedule should be considered to be covered by that item. Local officials should check with the State Archives when they are uncertain regarding coverage of a function. In situations where local officials have combined related types of records, covered by different items in this Schedule, into a single file series, it may be impractical to separately apply the retention periods of the various applicable Schedule items to the individual records in the file. In such situations, officials may find it more convenient to dispose of the entire set of records by using the applicable retention item with the longest retention period.

Retention periods on this Schedule apply to one "official" copy designated by the local

government unless otherwise stated. No matter what the medium, local officials must ensure that the information will be retained for the specified retention period.

The retention periods listed on this Schedule pertain to the information contained in records, regardless of physical form or characteristic (paper, microfilm, computer disk or tape, or other medium). Duplicate copies of records, including copies maintained on different media (paper, electronic, etc.), may be disposed of in accordance with item no. 19 of the General section of this Schedule.

Legal Actions

Some records may be needed to defend the local government in legal actions. Records that are being used in such actions must be retained for the entire period of the action even if their retention period has passed. **If the retention period has expired by the time the legal action ends, the records must be retained for at least one additional year after the end of the legal action** to resolve any need for the records in an appeal. If the retention period has **not** expired, the records must be retained for the remainder of the retention period, but not less than one year after the legal action ends.

Many schedule items have retention periods based on statutes of limitations for initiating legal actions. Prior to disposing of records, local officials may wish to either consult with their attorney to verify that no legal actions have been initiated which would require continued retention of the records or retain records for an additional several months beyond the end of the minimum retention period in the event that legal actions have been initiated near the end of that period which have not yet come to the attention of the records custodians.

Additional Retention Requirement in Commissioner's Regulations

The State Education Department's Office of the Professions oversees the professional conduct of licensed health professionals other than physicians, who are under the jurisdiction of the Department of Health. Section 29.2 of *8NYCRR* (Regulations of The Commissioner of Education) contains "General Provisions for the Health Professions." Paragraph 3 of subdivision a of this Section states that "unprofessional conduct" includes "failing to maintain records for each patient which accurately reflects the evaluation and treatment of the patient. Unless otherwise provided by law, all patient records must be retained for at least six years. . . . records of minor patients must be retained for at least six years, and until one year after the patient reaches the age of 21 years."

Some items on *Schedule ED-1* and other State Archives' schedules contain minimum legal retention periods which permit disposition of records three years after a minor attains age 18. In these instances, certain records pertaining to minors must also be retained for an additional year if those records are subject to the Section 29.2 requirements for health professionals, other than physicians, employed by or associated with local governments. For additional information on this situation, contact the State Archives' Government Records Services.

Audits

Program and fiscal audits and other needs of state and federal agencies are taken into account when retention periods are established by the State Archives. However, in some instances agencies with audit responsibility and authority may formally request that certain records be kept beyond the retention periods. If such a request is made, these records must be retained beyond the retention periods until the local government receives the audit report or until the need is satisfied.

Records That Have Been Microfilmed or Electronically Duplicated

The retention and disposition of the originals of records that have been microfilmed or electronically duplicated is governed by Section 57.29 of the Arts and Cultural Affairs Law and the State Archives' procedures. Please contact the State Archives for further information prior to beginning a program of microfilming or any other form of records duplication.

Electronic Records

While items on *Schedule ED-1* for the most part cover records regardless of the format in which they are maintained, electronic records in some subject areas are treated differently in this edition of the Schedule. Some electronic records are listed specifically in the Special Education, Student Records, and Transportation sections. In addition, the Electronic Data Processing section has been greatly expanded to cover a number of series not covered by the previous edition of this Schedule.

Study the State Archives' Regulations relating to electronic records (Section 185.8, *8NYCRR*), and contact the State Archives if you have any questions or problems after reviewing these requirements. Contact the State Archives as well if you need additional information on electronic records falling in the subject areas mentioned above.

Generally, records transmitted through e-mail systems have the same retention periods as records in other formats that are related to the same program function or activity. E-mail records should be scheduled for disposition in conjunction with any other records related to the program function.

Local governments may delete, purge, or destroy e-mail records provided that the records have been retained for the minimum retention established in this Schedule and are not being used for a legal action or audit. Transitory messages may be destroyed in a timely manner, using item no. 18 in the General section of the Schedule. Further information on e-mail records, suggested filing practices, dealing with duplicate copies, and a sample e-mail policy are found on the State Archives' web site at <http://www.archives.nysed.gov>. See also the State Archives' Publication No. 62, *Managing E-Mail Effectively*. Contact the State Archives for additional information.

Electronic records created specifically for distribution via the Internet are considered publications, and are covered by item no. 11 in the General section.

Public Access to Records

This Schedule does not address the issue of public access to records. Access issues are not covered by the Local Government Records Law but are covered by the Freedom of Information Law (Public Officers Law, sections 84 through 90). The State Archives urges local government officials to consult with their own counsels, the Committee on Open Government which administers the Freedom of Information Law (see below), or the state or federal agency having oversight over the records in question.

The Committee on Open Government is responsible for administering the Freedom of Information Law, which governs rights of access to government records. (The Committee also administers the Open Meetings Law which concerns the conduct of meetings of public bodies and the right to attend those meetings.) The Committee can provide written or oral advice and mediate in controversies in which rights may be unclear. For more information or advice, please contact:

Executive Director
Committee on Open Government
NYS Department of State
41 State Street
Albany, NY 12231
(518) 474-2518

The Committee has issued a booklet, *Your Right to Know: New York State's Open Government Laws*, which provides guidance on the Freedom of Information Law. As explained in that booklet, the law defines what is meant by a "record" and sets forth provisions regarding access. The booklet states that "all records are accessible, except records that fall within one of nine categories of deniable records." These nine categories (Section 87.2 of the Law) are explained in the booklet. The categories include records which, if disclosed, would result in an unwarranted invasion of personal privacy; records which would, if disclosed, impair present or imminent contract awards or collective bargaining negotiations; certain records prepared for law enforcement purposes; certain types of inter-agency or intra-agency communications; and several other categories. The booklet describes them in detail. As the booklet notes, "the categories of deniable records are generally directed to the effects of disclosure. They are based in great measure upon the notion that disclosure would in some instances 'impair,' 'cause substantial injury,' 'interfere,' 'deprive,' 'endanger,' etc."

Governments are required to develop a subject matter list of their records and to designate a records access officer to coordinate their response to public requests for records. The booklet also explains how people can obtain records, the process for denying access, and how that denial can be appealed. It explains other provisions of the law in detail.

The State Archives strongly urges local officials to read this booklet and contact the Committee on Open Government for any guidance or advice that is needed.

Please note that any record listed in this Schedule for which a Freedom of Information (FOIL)

request has been received should not be destroyed until that request has been answered and until any potential appeal is made and resolved, even if the retention period of the record has passed.

Records in this Schedule may or may not be confidential, depending on what information they contain and on the possible effect of disclosure of that information. In approaching issues of confidentiality and access, it may be helpful to consider the following, after reviewing the laws and the *Your Right to Know* booklet referred to above:

- ◆ What was the purpose for which the records were created?
- ◆ What information do they contain? What subjects are covered?
- ◆ How are the records used?
- ◆ How do they relate to other records that may have similar information?
- ◆ What would be the likely effect of disclosure of the information in the records?

SUGGESTIONS FOR RECORDS DISPOSITION

Once this Schedule has been formally adopted, valueless records may be disposed of continually as they meet their stated minimum retention periods. The advantages of a program for systematic, legal disposal of obsolete records are that it:

- (1) ensures that records are retained as long as they are actually needed for administrative, fiscal, legal, or research purposes;
- (2) ensures that records are promptly disposed of after they are no longer needed;
- (3) frees storage space and equipment for important records and for new records as they are created;
- (4) eliminates time and effort required to service and sort through superfluous records to find needed information;
- (5) eliminates the potential fire hazard from storage of large quantities of valueless records; and
- (6) facilitates the identification and preservation of archival records.

Suggestions for systematically approaching the disposition process include the following:

(A) Section 57.19 of the Arts and Cultural Affairs Law requires each local government to designate a Records Management Officer to coordinate or directly carry out disposition. The duties of a Records Management Officer are found in Section 185.2 of *8NYCRR*. Contact the

State Archives for additional information.

(B) Disposition should be carried out regularly, at least once a year. It should not be deferred until records become a pressing storage problem. Duplicate copies of records, including copies maintained on different media (paper, electronic, etc.), may be disposed of in accordance with item no. 19 of the General section of this Schedule.

(C) State law does not prescribe the physical means of destruction of most records. Records may be destroyed in any way the Records Management Officer or other local official chooses. Disposition through consignment to a paper recycling plant is often the best choice as it helps conserve natural resources and may also yield revenue for the local government. For records containing confidential information, disposition should be carried out in a way that ensures that the confidentiality of individuals named in the records is protected.

(D) A record should be kept of the identity, inclusive dates, and approximate quantity of records that are disposed. Sample disposition forms are available from the State Archives.

(E) The Records Management Officer or other official who carries out disposition should describe what has been done to dispose of records during the year in an annual report to the governing body.

REMINDERS

1. Records created before 1910 (even those which have been microfilmed) are not eligible for disposition without written permission from the State Archives.
2. No records may be disposed of unless they are listed on this Schedule, or their disposition is covered by other state laws.
3. Records common to most offices are listed under the General section of the Schedule. You should first attempt to locate a specific item under a functional heading. If the record you are locating cannot be found under a functional heading, then proceed to this General section to search for a less specific item covering the record.
4. Records being used in legal actions must be retained for one year after the legal action ends, or until their scheduled retention period has passed, whichever is longer.
5. Any record listed in this Schedule for which a Freedom of Information (FOIL) request has been received should not be destroyed until that request has been answered and until any potential appeal is made and resolved, even if the retention period of the record has passed.
6. Records being kept beyond the established retention periods for audit and other purposes at the request of state or federal agencies must be retained until the local government receives the audit report, or the need is satisfied.

7. Retention periods on this Schedule apply to one "official" copy designated by the local government, unless otherwise stated.
8. The retention periods listed on this Schedule pertain to the information contained in records, regardless of physical form or characteristic (paper, microfilm, computer disk or tape, or other medium).
9. The State Archives has no legal authority to require local governments to create records where no records exist, even if the records in question are listed on this Schedule.
10. The Budget, Payroll and Purchasing sections are now subsections of the Fiscal section. The Environmental Health section has been eliminated and items formerly found there are now in the Public Property and Equipment section. The Superintendent section has been eliminated and the item formerly found there is now in a new Administration section. The Compensatory Education section has been replaced with a new Special Education Services section. New sections have been added for Environmental Management, School Safety and Museum functions.
11. The State Archives cannot identify all record series with historical significance for individual local governments. Local officials will need to appraise records with nonpermanent retention periods for potential research or historical value before destroying them.
12. Certain records may need to be retained for one year longer than *Schedule ED-1* dictates if those records are subject to the requirements stated in Section 29.2 of *8NYCRR* for health professionals, other than physicians, employed by or associated with local governments.
13. The Local Government Records Law and *Schedule ED-1* do not address confidentiality of records. Confidentiality of records is often dependent upon what information they contain. Local officials should address such questions to the Committee on Open Government, their own counsels, or other state or federal agency having oversight of the records in question.

MODEL RESOLUTION

RESOLVED, By the [title of governing body] of [local government name] that *Records Retention and Disposition Schedule ED-1*, issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein.

FURTHER RESOLVED, that in accordance with Article 57-A:

(a) only those records will be disposed of that are described in *Records Retention and Disposition Schedule ED-1* after they have met the minimum retention periods described therein:

(b) only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

MORE INFORMATION

The State Archives will help local governments interpret and use this Schedule. The State Archives hopes to refine, update, and reissue this Schedule periodically, and welcomes suggestions for improvements in content and format. The State Archives also issues publications on local government records administration and provides advice and assistance to local governments on records management and archival administration problems. For more information contact:

Government Records Services, State Archives
9A47 Cultural Education Center
Albany, NY 12230
tel: (518) 474-6926 fax: (518) 486-4923
e-mail: recmgmt@mail.nysed.gov
web site: <http://www.archives.nysed.gov>

GENERAL

NOTE: Records common to most offices are listed under this section of the Schedule. In using the Schedule, users should first attempt to locate a specific item under a functional heading. If the record cannot be found under a functional heading, then proceed to this General section to search for a less specific item covering the record.

1.[1] **Official minutes and hearing proceedings** of public or governing body or board, commission or committee thereof including all records accepted as part of minutes:
RETENTION: PERMANENT

◆2.[3] **Meeting files** for meeting of public or governing body or board or agency, commission or committee thereof, including agendas, background materials and other records used at meetings:
RETENTION: 1 year

NOTE: Appraise these records for continuing administrative or historical value prior to disposition. Agendas may have continuing administrative value and may be useful for accessing information in unindexed minutes and for indexing those minutes. Other records prepared for or used at meetings may have administrative or historical value for documenting issues discussed at the meetings and referenced in the minutes. See item no. 1, above, for records which are accepted as part of the minutes.

◆3.[2] **Recording of voice conversations**, including audio tape, videotape, stenotype or stenographer's notebook and also including verbatim minutes used to produce official minutes and hearing proceedings, report, or other record

a. Recording of meeting of public or governing body or board, committee or commission thereof:
RETENTION: 4 months after transcription and/or approval of minutes or proceedings

NOTE: Videotapes of public hearings and meetings which have been broadcast on local government public access television are covered by item no. 314, below.

NOTE: Appraise these records for historical significance prior to disposition. Audio and videotapes of public hearings and meetings at which significant matters are discussed may have continuing value for historical or other research and should be retained permanently. Contact the State Archives for additional advice on the long-term maintenance of these

records.

- b. Recording other than of meeting of public or governing body or board, committee or commission thereof:

RETENTION: 0 after no longer needed

- 4.[4] **Legal opinion** or legal directive rendered by government agency:

RETENTION: PERMANENT

- 5.[5] **Local law (including certification that law was properly enacted), rule, regulation, ordinance, resolution, proclamation or court order:**

RETENTION: PERMANENT

- 6.[6] **Legal agreement**, including contract, lease, and release involving local government:

RETENTION: 6 years after expiration or termination or 6 years after final payment under contract, whichever is later

NOTE: This item does not apply to contracts (collective bargaining agreements) between a local government and a public employee labor organization. These contracts are covered by item no. 210 in the Personnel/Civil Service section, and must be retained permanently.

- 7.[7] **Signature card**, or equivalent record, showing signature of individual legally authorized to sign specific transaction:

RETENTION: 6 years after authorization expires or is withdrawn

- ◆8.[8] **Proof of publication or posting**, legal notices, or certification thereof

NOTE: This item does **not** apply to notice of forthcoming election (see item no. 73 in the Election section).

- a. Relating to bond or note issue or tax limit increase:

RETENTION: 6 years after issue or increase disapproved or retired

- b. **Not** relating to bond or note issue or tax limit increase:

RETENTION: 6 years

- ◆9.[9] **Manual of procedures**, or policies and standards

- a. Involving major procedures, policies and standards affecting local government operations, critical functions or issues of public visibility or concern:

RETENTION: PERMANENT

- b. Involving routine day-to-day procedures, policies and standards pertaining to internal administration of a local government:
RETENTION: 6 years after superseded

◆ 10.[10] **Correspondence and supporting documentation maintained in a subject file** (generated or received by a local government), **except** correspondence that is part of a case file or other record series listed elsewhere on this Schedule

- a. Documenting significant policy or decision making or significant events, or dealing with legal precedents or significant legal issues:
RETENTION: **PERMANENT**

NOTE: Significant correspondence is often maintained by the chief executive or administrative officer, and sometimes in subject file format. See item no. 33 in the Administration section.

- b. Containing routine legal, fiscal or administrative information:
RETENTION: 6 years
- c. Of **no** fiscal, legal or administrative value (including letters of transmittal, invitations and cover letters):
RETENTION: 0 after no longer needed

◆ 11.[11] **Official copy of publication**, including newsletter, press release, published report, bulletin, homepage or other website file, educational or informational program material prepared by or for local government

NOTE: Specific publications are listed in other places in this Schedule. Before using this item to determine the minimum legal retention for a publication, determine if that publication is covered by a more specific item.

- a. Publications which contain significant information or substantial evidence of plans and directions for government activities, **or** publications where critical information is **not** contained in other publications:
RETENTION: **PERMANENT**
- b. Publications where critical information is **also** contained in other publications or reports, publications that document routine activities, publications which contain **only routine** information, or publications (such as webpages) that facilitate access to government information on the Internet:
RETENTION: 0 after no longer needed

NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. Local governments should consider permanent retention of samples of publications covered by part "b" of the above item. Contact the State Archives for additional advice in this area.

- ◆ 12.[12] **Special project or program files**, including projects conducted by students, faculty and/or staff, including official copy of publications, videotapes, or informational literature prepared for public distribution, background materials and supporting documentation:

RETENTION: 6 years after project or program ends

NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. If special projects or programs deal with significant subjects, then certain documentation from these files, such as summary reports and resulting publications, should be retained permanently.

- ◆ 13.[13] **Grant program file**, covering grants received by local governments

NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. For records of grants awarded by local governments, see item no. 454 in the Fiscal section, General Accounting and Miscellaneous subsection.

- a. Application, proposal, narrative, evaluation, and annual report for grants that have been awarded:

RETENTION: 6 years after renewal or close of grant

NOTE: Local governments may find that some of the records covered by part "a" have ongoing administrative value. These records may be useful beyond the minimum retention period for preparing future grant applications.

- b. Background material, fiscal records, and supporting documentation for grants that have been awarded and all records relating to grant applications that have been rejected:

RETENTION: 6 years after renewal or close of grant or denial of application

- 14.[313] **Complaint, petition or request for service** received by local government

NOTE: Appraise these records for historical significance prior to disposition. Petitions by citizens involving very significant issues should be retained

permanently.

NOTE: For additional fiscal items, see Fiscal section of this Schedule.

- a. Summary record (such as log or register) of complaints, petitions or requests:
RETENTION: 6 years after disposition of all complaints, petitions or requests listed
- b. Complaints, petitions or requests relating to other than routine services or activities:
RETENTION: 6 years after final disposition of complaint, petition or request
- c. Complaints, petitions or requests relating to routine government services or activities:
RETENTION: 1 year after final disposition of complaint, petition or request

15.[15] **Opinion survey records**

- a. Survey results, including official copy of survey form:
RETENTION: 6 years

NOTE: Appraise these records for historical significance prior to disposition. Survey results and sample forms involving very significant issues should be retained permanently.

- b. Completed survey forms:
RETENTION: 0 after survey results prepared

16.[16] **Repair, installation, maintenance or similar record**, including but not limited to request for service, work order, record of work done, and summary or log of service performed:
RETENTION: 6 years

NOTE: For maintenance, testing, service, operational and repair records for public equipment or vehicle, see item no. 250 in the Public Property and Equipment section.

17.[17] **Internal investigation or non-fiscal audit records**

NOTE: Fiscal audit records are covered by item no. 310 in the Fiscal section, Audit subsection. Investigations of personnel are covered by item no. 200 in the

Personnel/Civil Service section, Personnel subsection.

- a. Report and recommendation resulting from investigation:

RETENTION: PERMANENT

- b. Background materials and supporting documentation:

RETENTION: 6 years

- ◆ 18.[18] **Internal information record**, including but not limited to calendars of appointments, office and travel schedule, memoranda, routing slips, and routine internal reports, reviews and plans, used solely to disseminate information or for similar administrative purposes:

RETENTION: 0 after no longer needed

- 19.[19] **Duplicate copy of record**, created for administrative convenience, **except** where retention is specified elsewhere in this Schedule:

RETENTION: 0 after no longer needed

- ◆ 20.[20] **Log or schedule** used for internal administrative purposes only:

RETENTION: 0 after no longer needed

- ◆ 21.[21] **Mailing list** used for billing or other administrative purposes:

RETENTION: 0 after superseded or obsolete

- ◆ 22.[22] **Daily, weekly, monthly, quarterly or other periodic internal or external report, summary, review, evaluation, log, list, statement or statistics:**

RETENTION: 6 years

NOTE: For annual, special, or final report, summary, review or evaluation, see item no. 23, below. For routine internal reports and reviews, see item no. 18, above.

- ◆ 23.[23] **Annual, special or final report, summary, review or evaluation**

NOTE: Specific annual reports are listed in many places in this Schedule. Before using this item to determine the minimum legal retention for an annual report, determine that a report is not covered by a more specific item.

- a. Reports which contain substantial evidence of government policy, procedures, plans and directions:

RETENTION: PERMANENT

- b. Reports where critical information is contained in other reports or reports which contain **only routine** legal, fiscal and administrative information:

RETENTION: 6 years

NOTE: For reports which concern routine internal management and housekeeping activities, see item no. 18, above.

- ◆ 24.[24] **Program plan (annual, special or long-range)**
- a. Plans which concern major government policies, procedures and activities:
RETENTION: PERMANENT
 - b. Plans which concern routine government policies, procedures and activities:
RETENTION: 6 years after superseded or obsolete
- 25.[25] **List, index or summary** used for internal administrative convenience or for informational purposes:
RETENTION: 0 after obsolete
- 26.[26] **Working document**, such as draft, worksheet or posting record **except** worksheets containing fiscal information:
RETENTION: 0 after no longer needed
- 27.[27] **Communication log** recording each communication between caller and receiving unit:
RETENTION: 1 year
- 28.[28] **Telephone call log, statement or equivalent record:**
RETENTION: 1 year
- 29.[29] **Identification card** (duplicate copy or record of issuance) issued to student:
RETENTION: 0 after invalid
- NOTE:** This does **not** apply to identification cards issued by a local government to its employees. See item no. 205 in the Personnel/Civil Service section.
- 30.[30] **Postal records**, including returned registered or certified mail card or receipt and insurance receipt:
RETENTION: 1 year
- ◆ 31.[31] **Accident report** and related records:
RETENTION: 3 years, or 0 after individual attains age 21, whichever is later
- ◆ 32.[32] **Report of incident of theft, arson, vandalism, property damage or similar occurrence:**

RETENTION: 6 years

NOTE: For records of responses to threats against public and other facilities, and discovery of possible explosives, pathogens or other hazardous substances, see item no. 66 in the School Safety section.

◆33.[314] **Local government public access television records**

- a. Videotape (or other information storage device) recording local government public access television program, where program is produced by a local government

Where program constitutes an important public meeting, significant event, important subject or documents local government policy making:

RETENTION: PERMANENT

NOTE: In order to ensure the continued preservation and availability of videotapes, local governments should consider using broadcast-quality tapes where possible. Those tapes should be periodically inspected and copied to newer tapes and formats. Contact the State Archives for additional advice.

Where program constitutes a routine meeting, event or subject:

RETENTION: 1 year

Where program is aired but **not** produced by a local government:

RETENTION: 0 after no longer needed

- b. Viewer guide or other periodic listing of programs:

RETENTION: 1 year

NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. The State Archives recommends that local governments retain a sampling of these records on a monthly, seasonal or other periodic basis.

- c. Program files on local government cable television programs:

RETENTION: 6 years

◆34.[398] **Records covering photocopying and other reproduction** of records, books, or other materials, including usage logs and individual copying requests

- a. For materials subject to U.S. Copyright Law:

RETENTION: 3 years

- b. For materials **not** subject to U.S. Copyright Law:
RETENTION: 0 after no longer needed

◆35.[399] **Copyright records**, for materials copyrighted by local government, including but not limited to copy of application, notice of copyright and correspondence:
RETENTION: 6 years after copyright expires or application denied

◆36.[400] **Training course information records**, including but not limited to memoranda, flyers, catalogues and other records related to specific training courses including information on course content, program registration, instructor, credits, hours and roster of registrants:
RETENTION: 0 after superseded or obsolete

NOTE: See Fiscal section for records of fiscal transactions involving training programs. For retention requirements for specific types of training course records, see the following items: for public safety training, see item no. 149 in the Instruction section; for toxic substance handling and commercial motor vehicle driver alcohol and drug testing training, see item nos. 214 and 349 in the Personnel/Civil Service section; for emergency medical training, see item no. 35 in the School Safety section and item no. 458 in the Instruction section. Records of earnings (in-service) credits are covered by item no. 199 in the Personnel/Civil Service section.

NOTE: For employee training history records, see item no. 203 in the Personnel/Civil Service section.

ADMINISTRATION

- ◆1.[33] **Superintendent's office files**, including but not limited to correspondence, memoranda, reports, studies, publicity items, non-record copies of contracts, and other legal documents
- a. Where file documents a significant subject, or major policy-making or program-development process:
RETENTION: PERMANENT
- b. Where file documents routine activity:
RETENTION: 6 years
- 2.[167] **School district records** created prior to consolidation of municipal school districts into centralized districts
- NOTE:** For attendance and school census records of predecessor school districts, see the Student Records section. Other series of school records created prior to consolidation should be treated as a discrete series for each of the consolidated districts. Appropriate retention periods for these records are addressed elsewhere.
- a. Basic records including but not limited to school district trustees' minutes; school commissioners' reports; school district "record books;" records of formation, alteration or consolidation of districts; teacher hiring and salary records; school fund and other accounting ledgers; district tax rolls or lists; school library reports and book lists; certificates of apportionment and annual and special reports:
RETENTION: PERMANENT
- b. Supporting fiscal and administrative documentation, including but not limited to receipts, warrants and orders to pay, canceled checks, bank statements, and routine correspondence:
RETENTION: 6 years
- ◆3.[168] **District organization file** covering school districts and BOCES
- a. Records documenting the establishment, extension, alteration, consolidation, or dissolution of district including but not limited to petition, records of public hearing, correspondence with New York State agencies, maps, surveys, special reports and studies, and photographs:
RETENTION: PERMANENT

- b. Background materials and supporting documentation, including but not limited to periodic reports, routine correspondence, memoranda, and copies of district budgets:

RETENTION: 6 years

- ◆4.[171] **School district/BOCES registration and accreditation records**, including but not limited to application for and registration from State Education Department (SED), results of review of registration status, accreditation by private evaluating agency and award received from federal Department of Education, SED and other agencies and organizations:

RETENTION: PERMANENT

- ◆5.[48] **Basic Educational Data System (BEDS) records**, including School Data Form, School District Summary Form, personnel master summary data and related reports used to report summary data on instructional programs to the State Education Department:

RETENTION: 5 years

- ◆6.[401] **School district, individual school, or BOCES improvement records**, covering review by State Education Department (SED) of academic performance, aptitude test scores, school safety or violence, fiscal management, or overall administration

- a. Official notifications from SED, final versions of corrective action and school improvement plans, results of SED progress reviews, summary of corrective actions taken, and significant correspondence:

RETENTION: PERMANENT

- b. Other records, including but not limited to draft corrective action and school improvement plans, results of data analyses, notes and correspondence:

RETENTION: 6 years after date of most recent entry in record

NOTE: Appraise these records for historical significance prior to disposition. Records documenting schools or districts “in need of improvement” or “in need of corrective action” or placed “under registration review” by SED may have continuing value for historical or other research and should be considered for permanent retention unless the information they contain is duplicated or summarized in records covered by part “a” of this item. Contact the State Archives for additional information.

- ◆7.[148] **Administrative reports** covering grades, test scores, staffing, fiscal matters, complaints about use of corporal punishment, school prayer certification, and other activities and performance of school district or BOCES, including reports prepared for inclusion with annual State aid consolidated funding application

- a. **Significant reports, including public school performance report**, covering academic performance, attendance, suspension and drop-out rates for the previous year; **school district and BOCES report cards**, covering expenditures for administration and improvement, student academic performance indicators, and measures of fiscal performance; **district progress report**, providing annual summary data on standardized achievement and aptitude test results, Regents and other examination test results, and analyses of test data, as well as other information on such subjects as enrollment and attendance, staffing, class size, graduating classes and ethnicity; **and similar administrative reports:**
RETENTION: PERMANENT
- b. **School progress report**, when information can be readily extracted from district progress report:
RETENTION: 5 years
- c. **School progress report**, when information **cannot** be readily extracted from district progress report:
RETENTION: PERMANENT
- d. Final version of **comprehensive assessment report (CAR)**, received from State Education Department, and returned upon verification, **when report is created instead of a district progress report, and it contains annual summary data** on standardized achievement and aptitude test results, Regents and other examination test results, and analyses of test data, as well as other information on such subjects as enrollment and attendance, staffing, class size, graduating classes and ethnicity, and/or it constitutes a report published by the school district:
RETENTION: PERMANENT
- e. Final version of comprehensive assessment report (if not covered by part d):
RETENTION: 5 years
- f. **Routine reports and background files and supporting documentation** used in creating, verifying, or correcting any reports covered by this item:
RETENTION: 6 years
- ◆ 8.[402] **Administrative plans** covering grades, test scores, staffing, pupil attendance, fiscal matters, and overall activities and performance of school district or BOCES, including plans prepared for inclusion with annual State aid consolidated funding application, not covered by specific items found elsewhere in this schedule, including **comprehensive district education (or equivalent) plan; district plan**

for participation by teachers and parents in school-based planning and shared decision-making; **attendance plan**, including proposed strategies for attendance improvement and dropout prevention; **and similar administrative plans**

- a. Final versions of significant plans, including all amendments:
RETENTION: PERMANENT

- b. Other plans and background files and supporting documentation for all plans, including results of data analysis, along with plan submission records:
RETENTION: 6 years

- c. Data created or modified specifically for creation of comprehensive district education (or equivalent) plan:
RETENTION: 5 years

NOTE: This data may come from a student information system (see item no. 378 in the Student Records section) and may also relate to data collected relative to Local Education Agency Programs (see item no. 321 in the Supplemental Education Services section). If identical data serves more than one function, the longest applicable minimum retention period must be followed.

ARCHIVES/RECORDS MANAGEMENT

◆1.[36] Records disposition documentation

- a. Consent of the Commissioner of Education to the use of records retention and disposition schedules and the legal disposition of records:

RETENTION: 0 after superseded

- b. Documentation of final disposition of records, describing records disposed of and manner and date of disposition:

RETENTION: 6 years after final disposition of records

NOTE: Local governments may wish to retain records covered by part "b" longer than the minimum retention period, to provide evidence that records have been legally disposed of, in response to requests for public access to records. In addition, documentation of the final disposition of archival records is covered by item no. 38, below.

2.[37] Inventory of records:

RETENTION: 0 after superseded

3.[38] Records transfer list

- a. For archival records:

RETENTION: PERMANENT

- b. For inactive records:

RETENTION: 0 after disposition of records on list

◆4.[39] Retrieval request for records in storage:

RETENTION: 0 after return of records, or 3 years after retrieval when records **not** returned

NOTE: Local governments may wish to retain documentation of records that were **not** returned to storage longer than the indicated retention period to indicate the status and location of those non-returned records.

5.[40] Archival administration records

- a. Appraisal and accessioning documentation, including assessment of conservation needs:

RETENTION: PERMANENT

- b. Processing and management working papers, drafts, notes, and related records:
RETENTION: 0 after no longer needed

- ◆6.[41] **Guide, listing, index, or other finding aid** to archival records:
RETENTION: 0 after superseded

NOTE: Local governments should retain any superseded guides, lists, indices or other finding aids containing record numbering and identification information, or any other significant information not carried forward to newer versions.

- ◆7.[42] **Records on use of archival materials**

- a. Log or register of researchers, and patron's registration for use of archival records:
RETENTION: 6 years
- b. Researcher interviews, reference statistics, requests for records, or similar reference service records:
RETENTION: 0 after no longer needed

ATTORNEY OR COUNSEL

- ◆1.[50] **Legal case file**, including but not limited to notice of claim, attorney and investigator activity logs, complaints, court order, motions, notes, briefs, releases and closing sheet:

RETENTION: 6 years after case closed, or 0 after any minor involved attains age 21, whichever is later

NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. Local governments should consider permanent retention of significant cases which have importance or which set major legal precedents. For instance, local governments may wish to permanently retain files for cases concerning major local controversies, issues, individuals and organizations which are likely to be the subject of ongoing research or which result in decisions or rulings of major significance to the local government or community or to the entire state. Contact the State Archives for advice in this area. In addition, local governments may wish to retain the complaint and release for routine cases longer for convenience of reference.

- 2.[51] **Legal brief file** ("brief bank") containing duplicate copies of legal briefs from case files, retained separately for future reference:

RETENTION: 0 after no longer needed

- ◆3.[52] **Legal case log** giving chronological listing of cases:

RETENTION: 0 after no longer needed

- 4.[53] **Legal case index**, including notations on activities related to case:

RETENTION: **PERMANENT**

- 5.[54] **Subject file** assembled and kept for reference purposes:

RETENTION: 0 after no longer needed

- ◆6.[403] **Subpoena**, along with documentation of response, issued to local government agency or officer, when not part of legal case file (see item no. 50, above) or not part of any other series of records listed on this Schedule:

RETENTION: 6 months after date of response

NOTE: Subpoenas relating to legal case files or other series of records listed on this Schedule should be retained as part of or long as that respective series.

CIVIL DEFENSE

- ◆ 1.[63] **Federal surplus property acquisition records:**
RETENTION: 6 years after receipt of surplus property
- ◆ 2.[64] **Emergency food storage records:**
RETENTION: 3 years
- ◆ 3.[65] **Emergency fuel allocation records**, including monthly application/report and detailed fuel allocation records:
RETENTION: 3 years
- ◆ 4.[67] **Emergency operating center records** covering maintenance and use:
RETENTION: 6 years after center no longer used for civil defense purposes

NOTE: For property acquisition, facility construction and other records covering emergency operating centers and fallout shelters, see the Public Property and Equipment section.

- ◆ 5.[68] **Fallout shelter records**
 - a. Licenses, plans and surveys:
RETENTION: 6 years after building no longer in existence
 - b. Listing of shelters:
RETENTION: 0 after superseded or obsolete

ELECTION

- ◆1.[69] **Voter registration records**, including school district's copy of voters and pollbook:

RETENTION: 5 years

NOTE: Appraise these records for historical significance prior to disposition, especially when **not** duplicated at a county board of elections. Records with historical value should be retained permanently. Even though certain voter registration records are retained permanently by county boards of elections, school districts may wish to retain these records longer, if not permanently, for convenience of reference and for research purposes, if they contain information not found at county boards. See also item no. 79, below. Contact the State Archives for additional advice in this area.

- ◆2.[70] **Vote recording and tabulating records**

- a. Sample ballot:

RETENTION: **PERMANENT**

- b. Voted ballot:

RETENTION: 1 year after election

- c. Application for absentee ballot:

RETENTION: 30 days after election

- d. Final election results, including election inspectors' return and statement of canvass (where information is **not** duplicated in report of final election results) and election result reports:

RETENTION: **PERMANENT**

- e. Intermediate records used to compile final election results, including tally sheets, voting machine tabulation, detailed breakdown of results by wards or election districts and election inspectors' returns and statements of canvass (where information **is** duplicated in report of final election results):

RETENTION: 1 year after election

- 3.[71] **Election readiness records**, including certification of testing of voting machines, record of ballot delivery, or similar records:

RETENTION: 1 year after election

- 4.[72] **Election officials' appointment records**, including notice of appointment, oath of

office, and record of service:

RETENTION: 1 year after election

5.[73] **Notification and publication of notice of forthcoming election**

a. Official copy of election notice:

RETENTION: PERMANENT

b. Proof of publication or posting, certification and listing of notice posting, copy of newspaper notice and certification of offices to be voted for at forthcoming election:

RETENTION: 1 year after election

◆6.[74] **Referendum records**, covering any question, recall or special election, including but not limited to actual petitions, records of signature verification and correspondence

NOTE: Certain records documenting the establishment, extension, alteration, consolidation, or dissolution of a school district must be retained permanently; see item no. 168 in the Administration section.

a. Summary records documenting request or need for referendum, such as records of public hearing, narrative justification accompanying petition, reports and correspondence dealing with pros and cons of issue at question:

RETENTION: PERMANENT

b. Other referendum records, including actual petitions, records of signature verification and routine correspondence:

RETENTION: 1 year after election

◆7.[75] **Election officials' training and qualifications records:**

RETENTION: 3 years

◆8.[76] **Candidate designation or nomination records**, including petitions, certificate, declination of nomination, objection to nomination, and related records:

RETENTION: 1 year after election

9.[77] **Certificate of acceptance of office:**

RETENTION: 1 year after person leaves office

◆10.[78] **Election challenge or investigation records:**

RETENTION: 6 years after last entry

NOTE: Appraise these records for historical significance prior to disposition.

Records which document significant investigations and challenges to election results may possess historical value and should be retained permanently. Contact the State Archives for additional advice.

11.[79] **Informational records received from county board of elections**, including lists of election officials, enrollment or registration lists, district maps and instructional materials:

RETENTION: 0 after superseded or obsolete

◆ 12.[80] **Records of election financing and/or campaign receipts, contributions and campaign expenses, including attached copies of political advertisements and literature**, including but not limited to report of campaign receipts and expenditures, waiver of report, party committee's designation of treasurer and depository and statement of authorization or non-authorization by candidate:

RETENTION: 5 years

NOTE: Campaign financing is a major public policy issue. Therefore, the State Archives preserves state-level campaign finance records and the New York City Board of Elections preserves City campaign finance records. Preservation of these archival records will maintain vital evidence for future research about campaign financing. County boards of elections have the option to preserve these financing statements longer than 5 years if they find the need to do so. Likewise, local governments may wish to preserve all or some campaign finance records beyond the five year minimum in those instances where the elections involved are hotly contested and serious local issues are involved. Contact the State Archives for more advice if necessary.

ELECTRONIC DATA PROCESSING

GENERAL ADMINISTRATION

- ◆1.[404] **Data processing unit subject files, correspondence, memoranda, reports, publications, and related records** used to support the administration of data processing services. This item does not include local government IRM plans, long-range or strategic plans, EDP and Information Resource Management (IRM) policies, records that document fiscal transactions, and any records covered by other items in this Schedule:
RETENTION: 0 after superseded or obsolete
- ◆2.[405] **Information resources management and data processing services plans**, local government IRM plans, data processing services plans, strategic plans, and related records used to plan for information systems development, technology acquisitions, data processing services provision, or related areas
- a. Master copy of plan and essential background documentation:
RETENTION: Retain for 3 planning cycles after the plan is completed, superseded, or revised.
- NOTE:** Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. Some of these records may document the development and advancement of technology used by the local government. Contact the State Archives for additional advice in this area.
- b. Copies, drafts, and routine material:
RETENTION: 0 after no longer needed
- ◆3.[322] **Electronic data processing needs and computer resources long-range plans**, including but not limited to BOCES computer services plans, covering projected need for cooperative computer services in supervisory district for a three- or five-year period, submitted annually to the New York State Education Department; and instructional computer technology plans, created pursuant to Section 100.12 *8NYCRR*
- a. School district or BOCES copies of plans:
RETENTION: 6 years after superseded or obsolete
- NOTE:** Appraise these records for historical significance prior to disposition.

- b. Information copies of BOCES computer services plans sent to school district:
RETENTION: 0 after superseded or obsolete
- c. Background and supplemental records used to prepare plans:
RETENTION: 6 years
- ◆4.[406] **Data processing policies**, records of data processing policies including those covering access and security, systems development, data retention and disposition, and data ownership:
RETENTION: 3 years after policy is withdrawn, revised, updated, or superseded
- ◆5.[407] **Data processing product/vendor and state contracts reference files**, information on data processing equipment, software, and other products and their vendors:
RETENTION: 0 after no longer needed for reference

SYSTEMS AND APPLICATION DEVELOPMENT

- ◆1.[408] **Application development project files**, records created and used in the development, redesign, or modification of an automated system or application including project management records, status reports, draft system or subsystem specifications, draft user requirements and specifications, and memoranda and correspondence. This item does not cover system or application documentation (see items no. 409 and no. 410):
RETENTION: 3 years after completion of project
- NOTE:** In some circumstances, local governments may wish to maintain these files longer for reference. All relevant information and final documentation should be contained in system and application documentation files (see items no. 409 and no. 410).
- ◆2.[409] **Data systems specifications**, user and operational documentation describing how an application system operates from a functional user and data processing point of view including records documenting data entry, manipulation, output and retrieval (often called "system documentation records"), records necessary for using the system, including user guides, system or sub-system definitions, system flowcharts, program descriptions and documentation (or other metadata), job control or workflow records, system specifications, and input and output specifications. This item does not cover data documentation and other records used to explain the meaning, purpose, or origin of data (see item no. 410):

RETENTION: 3 years after discontinuance of system, but not before system data is destroyed or transferred to new operating environment

- ◆3.[410] **Data documentation**, records generally created during development or modification and necessary to access, retrieve, manipulate and interpret data in an automated system including data element dictionary, file layout, code book or table, and other records that explain the meaning, purpose, structure, logical relationships, and origin of the data elements (sometimes known as metadata):

RETENTION: 3 years after discontinuance of system or application but not before system's or application's data is destroyed or transferred to a new structure or format

NOTE: In some cases, local governments will retain data for extended periods, sometimes offline. It is essential that they retain related documentation in an accessible format. This is particularly crucial if the documentation is stored in electronic form or the related records are appraised as archival. Application design documentation and user guides covered by item no. 409 may also serve to explain how data was interpreted and used. Contact the State Archives for additional advice in this area.

- ◆4.[411] **Automated program listing/source code**, automated program code which generates the machine-language instructions used to operate an automated information system:

RETENTION: Retain for 3 system update cycles after code is superseded or replaced.

NOTE: This item coincides with item no. 418, system backup files. It assumes that the files are maintained (backed-up) and disposed in accordance with accepted data processing practice; i.e., that 3 generations of backups be retained (see item no. 418).

- ◆5.[412] **Technical program documentation**, paper copy of program code, program flowcharts, program maintenance log, system change notices, and other records that document modifications to computer programs:

RETENTION: 1 year after replacement, modification, or related programs cease to be used

NOTE: Local governments may wish to consider retaining documentation for critical systems for a longer period.

- ◆6.[413] **Test database/files**, routine or benchmark data sets, related documentation, and test results constructed or used to test or develop a system:

RETENTION: 0 after no longer needed, but **not** before user accepts and management reviews and approves test results

COMPUTER OPERATIONS AND TECHNICAL SUPPORT

- ◆1.[414] **Data processing operating procedures**, records of procedures for data entry, the operation of computer equipment, production control, tape library, system backup, and other aspects of a data processing operation:
RETENTION: 3 years after procedure is withdrawn, revised, updated, or superseded

- ◆2.[415] **Data processing hardware documentation**, records documenting the use, operation, and maintenance of a local government's data processing equipment including operating manuals, hardware/operating system requirements, hardware configurations, and equipment control systems:
RETENTION: 0 after the local government no longer uses related hardware and all data is transferred to and made useable in new hardware environment

NOTE: Routine records that do not contain substantial information on the maintenance history or equipment should be destroyed on an annual basis, using item no. 18 in the General section.

- ◆3.[416] **Operating system and hardware conversion plans**, records relating to the replacement of equipment or computer operating systems:
RETENTION: 1 year after successful conversion

- ◆4.[417] **Disaster preparedness and recovery plans**, records related to the protection and reestablishment of data processing services and equipment in case of a disaster:
RETENTION: 0 after superseded by revised plan

NOTE: The State Archives recommends that local governments store disaster preparedness and recovery plans in a secure area off-site from the computer installation to which they refer.

- ◆5.[418] **System backup files**, copies of master files or databases, application software, logs, directories, and other records needed to restore a system in case of a disaster or inadvertent destruction:
RETENTION: 0 after 3 system backup cycles

NOTE: Backups used to document transactions or retained for purposes other than system security are covered by the relevant sections of this Schedule. For fiscal systems, monthly system backups are often retained for the entire fiscal year to provide an audit trail, and annual system backups are retained to meet all legal and fiscal requirements in lieu of copies of the individual master files or databases.

These records should be disposed using items from the Fiscal section of this Schedule. It is advisable that for many application systems 2 or 3 copies of backups be produced during each cycle.

- ◆6.[419] **System users access records**, created to control or monitor individual access to a system and its data, including but not limited to user account records and password files:
RETENTION: 0 after the individual no longer has access to the system, **but not before** audit requirements for the records modified by that individual have been met.

- NOTE:** System users access records and computer usage records may also serve some security purposes.

- ◆7.[420] **Computer system security records**, records used to control or monitor the security of a system and its data, including but not limited to intrusion detection logs, firewall logs, logs of unauthorized access, and other security logs.
RETENTION: 10 years after date of last entry

- ◆8.[421] **Computer usage files**, electronic files or automated logs created to monitor computer system usage including but not limited to login files, system usage files, charge-back files, data entry logs, and records of individual computer program usage:
RETENTION: 0 after 3 system backup cycles

- ◆9.[422] **Summary computer usage reports**, summary reports and other paper records created to document computer usage for reporting or cost recovery purposes:
RETENTION: 1 fiscal year after creation

- ◆10.[423] **Computer run scheduling records**, records used to schedule computer runs including daily schedules, run reports, run requests, and other records documenting the successful completion of a run:
RETENTION: 0 after end of current fiscal year

- ◆11.[424] **Input documents**, copies of records or forms designed and used solely for data input and control when the data processing unit provides centralized data input services and original records are retained by the program unit:
RETENTION: 0 after all data has been entered into the system and, if required, verified

NOTE: Input records retained for fiscal audit or legal purposes, or, containing information needed by a local government, are covered by the relevant section of this Schedule. Input records that document valid transactions are covered by item no. 426. Input records which serve a fiscal audit purpose may be covered by items

in the Fiscal section of this Schedule.

- ◆ 12.[425] **Work/intermediate files**, records used to facilitate the processing of a specific job/run or to create, update, modify, transfer, export, import, manipulate, or sort data within an automated system, including "macro" or "startup" file or other electronic record created to preserve a combination of data elements and/or method of displaying these data elements
- a. When export, import or relational data file is used to supply data to or receive data from other system, or to exchange data between files in this system:
RETENTION: 0 after no longer needed
- NOTE:** This data may have secondary value beyond the purpose for which it is created. Consider additional uses for this data in determining when it is no longer needed.
- b. When all transactions are captured in a master file, central file, valid transaction file, or database, and the file is not retained to provide an audit trail:
RETENTION: 0 after the transaction is completed.
- NOTE:** This item does not cover intermediate files retained to recreate or document valid transactions, to serve as an audit trail, or needed for system recovery backup.
- c. When electronic file is needed to recreate or document a valid transaction, such as creation of a specific report or study:
RETENTION: Retain as long as the reports, studies and other principal records for which the file is created are retained.
- NOTE:** A local government's ability to recreate or properly document the output may be tied to long-term retention of these records. Contact the State Archives for additional advice regarding the long-term retention of electronic records.
- ◆ 13.[426] **Valid transaction files**, records used to update and/or document a transaction in database or master file including valid transaction files, database management system (DBMS) log, update files, and similar records, and not retained to document a program unit action or for fiscal audit purposes:
RETENTION: 0 after 3 database/master file backup cycles
- NOTE:** Records used to document a program unit's actions (e.g., receipt of a voucher, issuance of a check), as opposed to a strictly data processing transaction,

or needed for fiscal audit or legal purposes, are covered by the relevant sections of this Schedule.

- ◆ 14.[427] **Print files** (not used to document a transaction), source output data extracted from the system to produce hard copy publications, printouts of tabulations, ledgers, registers, reports, or other documents when the files are not needed for audit purposes or to document program unit transactions:
RETENTION: 0 after all print runs are completed, output verified (if required), and local government has no need to reproduce the report

NOTE: Print files needed for fiscal audits or retained to document transactions are covered by the relevant sections of this Schedule.

- ◆ 15.[428] **Audit trail files**, data generated during the creation of a master file or database used to validate a master file or database during a processing cycle:
RETENTION: 0 after 3 database/master file backup cycles

- ◆ 16.[429] **Data processing unit's copies of output reports**, data processing unit's copy of output reports produced for client program units:
RETENTION: 0 after output is distributed

- ◆ 17.[430] **Summary or extracted data files**, summary or aggregate data from a master file or database, including "snapshots" of data, created solely to distribute data to individuals or program units for reference and use, but not altered or augmented to support program-specific needs:
RETENTION: 0 after data is distributed

NOTE: Appraise these records for historical significance prior to disposition. Some snapshots of data, created and maintained as either electronic files saved to disk, tape or diskette, or as hard-copy output such as printed maps, or in both formats, may warrant longer retention. Contact the State Archives for additional advice on the creation and maintenance of these records.

- ◆ 18.[431] **Finding aids (indexes) or tracking systems**, electronic indexes, lists, registers, and other finding aids used only to provide access to the hard copy and electronic records in the custody of the data processing unit:
RETENTION: 0 after the related hard copy or electronic records have been destroyed

NOTE: Finding aids and tracking systems of program units other than data processing units are covered by the relevant sections of this Schedule and are frequently covered by the same item covering related program records.

- ◆ 19.[432] **Automated tape library system files**, automated records used to control the

location, maintenance, and disposition of magnetic media in a tape library:

RETENTION: 0 after related records or media are destroyed or withdrawn from the tape library

- ◆20.[433] **Reports on the destruction of files ("scratch reports")**, records containing information on the destruction of files stored on electronic media in a tape library:
RETENTION: 0 after superseded or (if required) management review and approval
- ◆21.[434] **Tape library control records**, records used to control the location, maintenance, and disposition of magnetic media in a tape library including list of holdings and control logs:
RETENTION: 0 after superseded

DATA ADMINISTRATION

- ◆1.[435] **Data/database dictionary records**, usually in an automated system, used to manage data in a local government's information systems including information on data element definitions, data structures or file layout, code tables, and other data attribute information or records that explain the meaning, purpose, logical relationships, ownership, use, or origin of data:
RETENTION: 0 after discontinuance or modification of the related application but not before the application's data is destroyed or transferred to a new structure or format
 - ◆2.[436] **Data/database dictionary reports**, periodic printouts from a data/database dictionary system including data element attribute reports, database schema, and related records used for reference purposes:
RETENTION: 0 after superseded or obsolete
- NOTE:** The official copy of essential data documentation is covered by either item no. 410 or no. 435.
- ◆3.[437] **Regional information center data**, received from school districts and other BOCES, processed and forwarded to State Education Department (SED), and related records
 - a. Actual data, both as received and as processed:
RETENTION: 0 after no longer needed

NOTE: For schools or districts placed "under corrective action" or "under registration review" by SED, this data may need to be retained until these

designations are canceled by SED and no longer apply.

- b. Background and supplemental information on data processing for school districts and other BOCES, including but not limited to data correction and verification records and correspondence:
RETENTION: 6 years

USER/OFFICE AUTOMATION SUPPORT

- ◆1.[438] **Site/equipment support files**, records documenting support services provided to specific data processing equipment or installations including site visit reports, program and equipment service reports, service histories, and correspondence and memoranda
 - a. Site visit reports, problem and equipment service reports, and routine correspondence and memoranda:
RETENTION: 3 years after creation
 - b. Service histories and other summary records:
RETENTION: 0 after the related equipment is no longer in use
- ◆2.[439] **Help desk telephone logs and reports**, records used to document requests for technical assistance and responses to these requests as well as to collect information on the use of computer equipment for program delivery, security, or other purposes:
RETENTION: 1 year after creation
- ◆3.[440] **Software review files**, records related to the review and recommendations for software for local government use including vendor information, manuals, software reviews, and related material:
RETENTION: 0 after obsolete

NETWORK/DATA COMMUNICATION SERVICES

- ◆1.[441] **Network site/equipment support files**, records documenting support services provided to specific sites and computer to computer interfaces on a network including site visit reports, trouble reports, service histories, and correspondence and memoranda
 - a. Site visit reports, trouble reports, and related correspondence:
RETENTION: 3 years after creation

- b. Service histories and other summary records:
RETENTION: 0 after the related equipment or site is no longer in use
- c. Routine records that do not contain substantial information on the maintenance history or site:
RETENTION: 1 year
- ◆2.[442] **Inventories of circuits**, automated or paper records containing information on network circuits used by the local government including circuit number, vendor, cost per month, type of connection, terminal series, software, contact person, and other relevant information about the circuit:
RETENTION: 0 after the circuit is no longer used by the local government
- ◆3.[443] **Network or circuit installation and service files**, copies of requests by local governments to service provider for data communication service, installation, or repair and response to the request including work orders, correspondence, memoranda, work schedules, and copies of building or circuitry diagrams:
RETENTION: 1 year after request is filled or repairs are made
- ◆4.[444] **Network usage files**, electronic files or automated logs created to monitor network usage including but not limited to login files and system usage files:
RETENTION: 0 after 3 system backup cycles after creation
- ◆5.[445] **Network usage reports**, summary reports and other records created to document computer usage for reporting or other purposes:
RETENTION: 1 fiscal year after creation
- ◆6.[446] **Network implementation project files**, local government records used to plan and implement a network including reports, justifications, working diagrams of proposed network, wiring schematics, and diagrams:
RETENTION: 0 after superseded

INTERNET SERVICES

- ◆1.[447] **Internet services logs**, electronic files or automated logs created to monitor access and use of local government services provided via the Internet, including, but not limited to, services provided via FTP (file transfer protocol), or website, or Telnet services:
RETENTION: 0 after 3 backup cycles, but not before relevant audit and documentation requirements have been met

- ◆2.[448] **Employee Internet use logs**, electronic files or automated logs created to monitor and control use of the Internet by employees, including but not limited to proxy server logs:
 RETENTION: 0 after 3 backup cycles, but not before any appropriate review and verification

ENVIRONMENTAL MANAGEMENT

- ◆1.[449] **Natural resource inventory** and listing of open areas and wetlands, including official copy of final inventory or report, final maps, surveys, photographs and background materials and supporting documentation:

RETENTION: PERMANENT

- ◆2.[450] **Environmental protection and natural resources management plan**

- a. Final plan and report:

RETENTION: PERMANENT

- b. Background materials and supporting documentation:

RETENTION: 6 years

NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. Supporting documentation may be very valuable, and the State Archives suggests local governments consider retaining these records permanently. Contact the State Archives for additional advice in this area.

- ◆3.[451] **Lake, river, stream or watershed study files**

- a. Final and interim reports and studies, maps, photographs, significant correspondence and essential data collected as part of study:

RETENTION: PERMANENT

- b. Notes, drafts, routine correspondence and non-essential data:

RETENTION: 0 after no longer needed

FISCAL

AUDIT

- 1.[310] **Report of audit of financial affairs**
- a. Audit filed pursuant to Section 35, General Municipal Law, conducted by Office of the State Comptroller or by New York City Comptroller or by an outside auditing firm:
RETENTION: PERMANENT
 - b. Other external audits:
RETENTION: 6 years
 - c. Internal audits, conducted by local government officials:
RETENTION: 6 years
- 2.[311] **Audit background documentation**, including summaries, posting records, and related records created by an auditing office as part of the auditing procedure:
RETENTION: 6 years
- 3.[312] **Audit hearing or review file:**
RETENTION: 6 years after audit accepted

BANKING AND INVESTMENT

NOTE: Section 239.7 of the Banking Law contains a 20 year statute that applies to certain records of monies held in any account in a "savings bank" (as defined in Section 2.4, Banking Law). While most local governments are prohibited by law from depositing monies in a savings bank, some local governments may have some funds deposited in a savings bank. In these instances, records covered by item no. 110, and possibly item nos. 109, 111, 113 and 114, below, depending on the nature of the account and what information these records contain, may need to be retained for 20 years. If you have funds deposited in a savings bank, and need additional information on this subject, contact the State Archives.

- 1.[109] **Banking communications**, including but not limited to bank statement, reconciliation, notification of voiding or return of check, cancellation of payment, or other notice for checking or savings account:
RETENTION: 6 years

- 2.[110] **Canceled check (including payroll check)**, or other instrument of payment, such as bank check, warrant check, order check, or order to fiscal officer to pay when used as a negotiable instrument, including voided check:
RETENTION: 6 years
- NOTE:** It is recommended that a list of destroyed unused checks be created and maintained for legal or audit purposes.
- 3.[111] **Copy of check or check stub:**
RETENTION: 6 years
- 4.[112] **Depository agreement**, including designation of depository, bond or surety, or other record relating to deposition of local government funds:
RETENTION: 6 years after agreement, contract, designation, bond or surety has expired or been superseded or rescinded
- 5.[113] **Deposit book for checking account:**
RETENTION: 6 years after date of most recent entry
- 6.[114] **Deposit book for savings account:**
RETENTION: 6 years after cancellation
- 7.[115] **Deposit slip:**
RETENTION: 6 years
- ◆8.[119] **Master summary record of bonds, notes, or securities** purchased by the government for investment, identifying the security, the fund for which held, the place where kept, and listing the date of sale and the amount realized:
RETENTION: **PERMANENT**
- ◆9.[120] **Periodic reports and similar records** of yield received from or status of bonds, notes, securities or other obligations purchased for investment:
RETENTION: 6 years after bond issue retired

BONDS AND NOTES

NOTE: The following record series provide disposition authority for records related to the issuance of bonds, notes or obligations. However, the actual bonds, notes or obligations are not covered by these items. Instead, bonds, notes or obligations may only be destroyed pursuant to Section 63.10 of the Local Finance Law. Questions should be addressed to the Office of the State Comptroller, Division of Legal Services, 110 State Street, Albany, NY 12236; phone, (518) 474-5586.

- ◆1.[116] **Bond issue preparation file**, covering bonds issued by local governments
- a. Master summary record of bonds issued:
RETENTION: PERMANENT
 - b. Other records, including those relating to bond attorneys, preparation of the prospectus, prospectus distribution to bond buyers, bond printing, list of prospective or actual buyers, bond printing bids, bond ratings, and proof of publication of notice of estoppel:
RETENTION: 6 years after bond issue retired
- 2.[117] **Bond or note issue and cancellation register**, including information on the type, amount, number of obligations in issue, rate of interest, date of maturity, holders, cancellation of the bond or note, and other pertinent information:
RETENTION: 6 years after cancellation of last bond or note
- 3.[118] **Debt-contracting power statement** filed with Office of the State Comptroller before sale of bonds:
RETENTION: 6 years after bond issue retired
- ◆4.[452] **Records relating to exclusion of self-liquidating indebtedness** by a local government, including copy of application filed with Office of the State Comptroller, notice and proof of publication, and State Comptroller's written certificate:
RETENTION: 6 years after date of certificate

BUDGET

- ◆1.[55] **Budget preparation file** for budget request or estimate submitted by department head, including but not limited to the preliminary or tentative budget, budget appropriation and staffing requests, estimates of revenues or expenditures, narrative of services, school district copy of BOCES budget, budget message, budget hearing and review files, and related records:
RETENTION: 6 years
- 2.[58] **Annual budget**
- a. Official copy when not included in minutes:
RETENTION: PERMANENT
 - b. When budget is included in minutes:

- RETENTION:** 0 after officially recorded in minutes
- c. Reporting office copy:
RETENTION: 0 after no longer needed
- 3.[59] **Special (contingency) budget** filed with state or federal agency:
RETENTION: PERMANENT
- 4.[60] **Budget status report** on allocation, receipts, expenditures, encumbrances, and unencumbered funds
- a. Cumulative report:
RETENTION: 6 years
- b. Monthly or quarterly report:
RETENTION: 1 year
- 5.[61] **Budgetary change request**, (if not included in minutes) including approval or denial for change in approved budget and including but not limited to transfer of funds from one budget item to another, overtime authorization, or request for supplemental funds:
RETENTION: 6 years
- ◆6.[453] **Copies of city, county, town or other budgets**, received and maintained for informational purposes:
RETENTION: 0 after no longer needed

CLAIMS AND WARRANTS

- 1.[121] **Claim for payment** (approved or disallowed), including claim, vendor's voucher and bill:
RETENTION: 6 years
- ◆2.[123] **State or federal-state reimbursement claim file (federal revenue sharing)**, including but not limited to annual State aid consolidated funding application, summary and detail of claim, worksheets and other supporting documents:
RETENTION: 6 years
- NOTE:** For administrative reports prepared for inclusion with annual State aid consolidated funding applications, see item no. 148 in the Administration section.
- 3.[124] **Summary record of outstanding or paid warrants or claims:**

- RETENTION:** 6 years
- 4.[125] **Notice of claim record and index** as required by Section 50-f of the General Municipal Law:
RETENTION: 6 years after final disposition of claim
- 5.[126] **Order or warrant to pay monies**
- a. For any funds held in a savings bank:
RETENTION: 20 years
- b. For any funds **not** held in a savings bank:
RETENTION: 6 years
- 6.[127] **Outstanding warrants listing**, including adding machines tapes:
RETENTION: 6 years
- 7.[128] **Assignment of claim:**
RETENTION: 6 years after satisfaction or 10 years, whichever is less

GENERAL ACCOUNTING AND MISCELLANEOUS

- 1.[95] **General ledger** showing summary receipts and disbursements from all funds and accounts:
RETENTION: 6 years after last entry
- NOTE:** Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. General ledgers containing detailed entries that include information on nature of transaction and parties involved may be valuable in documenting financial transactions involving a local government.
- ◆2.[96] **Subsidiary ledger** providing details of the general ledger accounts:
RETENTION: 6 years after last entry
- NOTE:** Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. Subsidiary ledgers containing detailed entries that include information on nature of transaction and parties involved may be valuable in documenting financial transactions involving a local government, if this detailed information is not contained in general ledgers.
- 3.[97] **Journal** recording chronological entries of all fiscal transactions:

RETENTION: 6 years after last entry

NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. Journals containing detailed entries that include information on payor, payee and purpose may be valuable in documenting financial transactions involving a local government.

- 4.[98] **Accounting register**, including but not limited to check register, transfer of funds register, encumbrance register, and register of claims presented for payment and paid claims:
RETENTION: 6 years after last entry
- 5.[99] **Cash transaction record** showing cash received from collection of various fees and petty cash disbursed:
RETENTION: 6 years
- 6.[100] **Daily cash record**, including adding machine tapes, cashier's slips showing daily cash receipts and analysis of cash receipts:
RETENTION: 6 years
- 7.[101] **Notice of encumbrance** indicating funds encumbered and amount remaining unencumbered:
RETENTION: 6 years
- ◆ 8.[102] **Past due account fiscal records and summaries:**
RETENTION: 6 years after account satisfied or otherwise closed
- 9.[103] **Intermediary fiscal record of receipts and disbursements**, including but not limited to detail record, analysis, proof sheet or trial balance worksheet, and adding machine tapes:
RETENTION: 6 years
- 10.[104] **Abstract of receipts, disbursements, or claims:**
RETENTION: 6 years
- 11.[105] **Billing records, including nonresident pupil's tuition, covering services provided by school district/BOCES**
- a. Customer's individual account:
RETENTION: 6 years after last entry
- b. Records used to determine billing and charges including "flat rate" computation record and copies of bills and charge slips:
RETENTION: 6 years

- c. Billing address records:
RETENTION: 0 after superseded or obsolete
- 12.[106] **Bill of sale** of property owned by local government other than real property:
RETENTION: 6 years
- 13.[107] **Sales tax records**, covering sales tax collected by local governments and transmitted to State Department of Taxation and Finance:
RETENTION: 6 years
- 14.[108] **Tax exemption records**, showing that local government is exempt from paying sales, use or other taxes:
RETENTION: 1 year after superseded or obsolete
- 15.[324] **Payment recoupment records**, documenting the process of recovering monies paid erroneously by local government to employee, vendor or other payee:
RETENTION: 6 years after date of most recent entry in record
- 16.[129] **Receipt (received) or copy of receipt (issued)** other than for payment of taxes:
RETENTION: 6 years
- ◆ 17.[454] **Grant, award or gift files**, covering grants, awards and gifts given by local governments to other local governments, not-for-profit corporations, businesses or individuals
- a. Master summary record of grants, awards or gifts:
RETENTION: **PERMANENT**
- b. Detailed records of grants, awards and gifts, excluding master summary record:
RETENTION: 6 years
- NOTE:** For records of grants received by local governments, see item no. 13 in the General section.
- ◆ 18.[455] **Credit card records** documenting payments received by credit cards, including credit card payment receipts, and statements showing amounts of payments received and fees deducted:
RETENTION: 6 years

PAYROLL

NOTE: The copy of payroll, or payroll report, submitted to civil service office for certification or approval, is covered by item no. 351 in the Personnel/Civil Service section, Civil Service subsection.

NOTE: The State Archives does not prescribe the amount of detail and nature of information necessary to be maintained for salary verification for retirement and social security purposes. Contact the Office of the State Comptroller or other retirement system to verify that you are maintaining the necessary payroll information.

- ◆ 1.[179] **Payroll**, including information on gross and net pay, base pay, taxes, and other deductions
 - a. Year-end payroll:
 RETENTION: 55 years
 - b. Periodic payroll, including detailed information necessary for salary and time of service verification for retirement and social security purposes, when **no** year-end payroll is maintained **or** year-end payroll does not contain this required detailed information:
 RETENTION: 55 years
 - c. Periodic payroll, when year-end payroll contains detailed information necessary for salary and time of service verification for retirement and social security purposes:
 RETENTION: 6 years
 - d. Warrant authorizing payment of salaries based on a specific payroll, if maintained separate from payroll itself:
 RETENTION: 6 years
 - e. Preliminary draft of payroll:
 RETENTION: 0 after warrant authorizing payment of salaries is signed
 - f. Local government's information copy of other local government's payroll:
 RETENTION: 0 after no longer needed

- ◆ 2.[180] **Payroll or related report** covering all employees or an individual employee, and **not** covered by specific item in this section

NOTE: Local governments may wish to retain these records longer for social

security or retirement documentation purposes.

a. When needed for audit or other fiscal purposes:
RETENTION: 6 years

b. When **not** needed for audit or other fiscal purposes:
RETENTION: 0 after no longer needed

3.[181] **Payroll distribution breakdown record** used to distribute or classify labor costs:
RETENTION: 6 years

NOTE: Local governments may wish to retain these records longer for social security or retirement documentation purposes.

4.[182] **Summary record of employee's payroll changes:**
RETENTION: 6 years after termination of employment

5.[183] **Employee's time cards, sheets, or books:**
RETENTION: 6 years

6.[184] **Record of employee absences or accruals**

NOTE: This item does **not** apply to an employee's time cards or sheets.

a. When **not** posted to periodic cumulative time summary record:
RETENTION: 6 years

b. When posted to periodic cumulative time summary record:
RETENTION: 1 year

7.[185] **Employee request for and/or authorization given to employee to use or donate sick, vacation, personal or other leave, or to work overtime:**
RETENTION: 6 years

8.[186] **Record of assignments, attachments, and garnishments of employee's salary**

a. When employment was terminated prior to satisfaction:
RETENTION: 6 years after termination of employment

b. When satisfied:
RETENTION: 5 years after satisfaction

◆9.[187] **Employee's voluntary payroll deduction request** form and related records:
RETENTION: 5 years after authorization expires

- 10.[188] **Schedule or other notification from issuing bank** showing savings bond purchased for employee:
RETENTION: 5 years after latest bond issue
- 11.[189] **Employee's personal earnings record** used to prove end-of-year total earnings, retirement or other deductions and taxes withheld:
RETENTION: 6 years
- NOTE:** Local governments may need to retain these records longer for social security or retirement documentation purposes.
- 12.[190] **Employee's declaration of intention to accept or reject Social Security:**
RETENTION: 10 years after employee dies or reaches age 75, whichever is shorter
- 13.[191] **Quarterly or other periodic report of wages paid** prepared for Social Security, and report of any adjustments or corrections:
RETENTION: 6 years after year in which wages were reported
- 14.[192] **Copy of federal determination of error in wage reports** (Form OAR-S30 or equivalent record):
RETENTION: 6 years after determination received
- 15.[193] **Payroll report** submitted to New York State Employee's Retirement System, New York State Teachers Retirement System or any other official pension system:
RETENTION: 6 years
- ◆ 16.[194] **Employer's copy of Annual Federal Tax Return (Form 940), Quarterly Federal Tax Return (Form 941E) and Continuation Sheets (Form 941a), Notice of Tax Return Due (Form TY 14), or equivalent forms:**
RETENTION: 4 years after tax paid
- ◆ 17.[195] **Employer's copy of U.S. Information Return for Calendar Year (Form 1099), Withholding Tax Statement (Form W-2) or Transmittal of Wages and Tax Statements (Form W-3), or equivalent forms:**
RETENTION: 4 years
- ◆ 18.[196] **Employee's Withholding Exemption Certificate (Form W-4), or equivalent form:**
RETENTION: 4 years after a superseding certificate is filed or employment is terminated
- ◆ 19.[197] **Employer's copy of New York State income tax records** relating to employees:

RETENTION: 4 years after tax was paid

- ◆ 20.[342] **Direct deposit records**, covering direct deposit of employee's salary, including but not limited to application to begin or terminate direct deposit, and transaction log or similar reports:

RETENTION: 5 years after authorization expires

- ◆ 21.[343] **Employee's declaration of intention to decline membership or participation in retirement system or benefit plan**, including copy of written notification of options provided employee by local government

- a. For retirement system:

RETENTION: 6 years after termination of employment

NOTE: Local governments may wish to retain these records for a lengthier period such as 20 years after employee termination. State legislation in effect between 1993 and 1996 allowed for retroactive retirement system membership, for employees who were not previously offered membership, and the possibility exists that similar legislation may be passed into law in the future. If this occurs, these declarations of non-membership may be valuable for local governments to document intentions of present or former employees.

- b. For benefit plan:

RETENTION: 6 years after termination of employment

PURCHASING

- ◆ 1.[257] **Purchase order, purchase requisition**, or similar record, used to obtain materials, supplies, or services:

RETENTION: 6 years

- ◆ 2.[259] **Purchasing file**, including but not limited to bid (successful, unsuccessful), contract and specifications, and related records, for purchase of materials, supplies and services **not** connected with capital construction:

RETENTION: 6 years after expiration or termination or 6 years after final payment under contract, whichever is later

NOTE: For capital construction, see item no. 241 in the Public Property and Equipment section. Local governments may wish to retain records documenting purchases for additional periods if those records may be needed for warranty claims concerning the purchased items.

- 3.[260] **Vendor file**, including but not limited to list of vendors doing business with the local government, vendor evaluation forms, price lists or other information received from vendors:
RETENTION: 0 after obsolete
- 4.[261] **Performance guarantee** or written warranty for products or similar record:
RETENTION: 6 years after expiration
- ◆5.[262] **Invoice**, packing slip, shipping ticket, copy of bill of lading or similar record used to verify delivery and/or receipt of materials or supplies:
RETENTION: 6 years
- ◆6.[263] **Invoice register**, or similar record used to list invoices:
RETENTION: 6 years after last entry
- 7.[265] **List or abstract of purchase orders, claims or contracts:**
RETENTION: 6 years
- 8.[266] **Standing order file**, used for purchase of materials and supplies which are received on a regular basis:
RETENTION: 6 years
- ◆9.[456] **Chargeback records**, showing specific fund to be charged for in-house expenditure:
RETENTION: 6 years
- ◆10.[502] **Canceled bids file**, including purchase requisitions, vendor solicitations, requests for proposals (RFPs), price quotations and related records concerning bids for goods or services which were canceled without a purchase being completed:
RETENTION: 1 year after subsequent procurement of the same goods or services completed under a re-initiated procurement, or 1 year after decision to not purchase such goods or services

REPORTS

- 1.[130] **Daily, weekly, monthly, quarterly, or other periodic fiscal reports**, including but not limited to daily funds report, daily cash report, statement of monthly balances, recapitulation of disbursements, and departmental reports:
RETENTION: 6 years
- 2.[131] **Annual or final fiscal reports**

a. When report is **not** included in minutes:
RETENTION: PERMANENT

b. When report **is** included in minutes:
RETENTION: 0 after officially recorded

3.[132] **Fiscal reports from state agencies:**
RETENTION: 6 years

4.[133] **Certificate, demand or direction to fiscal officer to pay monies:**
RETENTION: 6 years

5.[134] **Verification of travel expenses, including but not limited to certificate of accuracy and receipts:**
RETENTION: 6 years

FOOD MANAGEMENT AND CHILD NUTRITION

◆1.[135] Food management and child nutrition records

- a. Program participation agreement, including attachments and amendments:
RETENTION: 6 years after termination of agreement
- b. Other program records, including but not limited to application to participate as a sponsor, individual child participation application, records including meal counts, requisition and approval of requisition for donated commodities, **and** fiscal records such as adding machine tapes, purchase orders, claims and vouchers:
RETENTION: 3 years after end of school fiscal year

NOTE: Fiscal records relating to food management and child nutrition do not need to be retained for 6 years as similar fiscal records found in the Fiscal section of this Schedule must be retained.

- c. Free and reduced meal policy statement, with attachments and certificate of acceptance:
RETENTION: 3 years after policy superseded

◆2.[136] Food inspection and investigation records

- a. Inspection report for preparation or serving area:
RETENTION: 3 years
- b. Food sanitation complaint investigation or food embargo records, for investigations **other than** food- or water-borne disease investigations:
RETENTION: 6 years after last entry
- c. Food sanitation complaint investigation or food embargo records, when a food- or water-borne disease investigation is conducted:
RETENTION: 21 years

NOTE: Appraise these records for long-term uses, warranting longer, if not permanent, retention prior to disposition. Records covered by item no. 136c may be useful in the future in documenting cases of serious food poisoning, such as where death or serious illness occurs from E. coli contamination. Contact the State Archives for additional advice.

GIFTED AND TALENTED PROGRAMS

- ◆1.[325] **Student folder for student enrolled in gifted and talented program**, including but not limited to application or offer for participation, testing or eligibility determination records, progress reports, product assessment, samples of student's work, notes and correspondence:
RETENTION: 6 years after student participation in program terminates
- NOTE:** Schools may prefer to maintain these records as part of a student cumulative education record file. See item no. 275 in the Student Records section of this Schedule.
- 2.[326] **Lists of students applying for participating and/or enrolled in gifted and talented program(s)**
- a. Annual list of students enrolled in gifted and talented program(s):
RETENTION: 20 years
- b. List of students who applied for and/or were denied placement:
RETENTION: 3 years
- c. Other lists of students, created for internal administrative purposes:
RETENTION: 0 after no longer needed
- ◆3.[327] **Application and/or offer for participation in gifted and talented program**, including eligibility identification and testing records, when student is not enrolled or does not participate in program:
RETENTION: 3 years
- 4.[328] **Documentation of the process for selection and placement** for students in gifted and talented program, including explanation and justification of acceptance criteria, and district program plan:
RETENTION: **PERMANENT**

HEALTH

◆1.[137] **Student's cumulative health record**, including but not limited to health history; individualized health care plan; immunization record; results and recommendations from examination, screening, or treatment; parent or guardian referral and permission record; and teacher's comments

a. Summary record or individual records when **not posted to summary record**:

RETENTION: 0 after individual attains age 27

b. Individual records when posted to summary record, **except** blood and body fluids incident report:

RETENTION: 1 year after end of school year

c. Individual immunization record, including authorization and/or parental consent:

RETENTION: 6 years, or 3 years after individual attains age 18, whichever is longer

NOTE: These records may be requested beyond their minimum legal retention period by persons needing proof of certain immunizations for college admission or other purposes. The State Archives recommends that school districts and BOCES evaluate the need to retain immunization records longer than the stated minimum retention period for these purposes.

d. Blood and body fluids incident report, **even when posted to summary record**:

RETENTION: 0 after individual attains age 27

2.[138] **Log of students' accidents and illnesses during school day:**

RETENTION: 1 year after end of school year

NOTE: This retention period presumes that information contained in the log is also contained in the individual and/or summary health records covered by parts a. and/or b. of item no. 137, above. If this information is **not** posted to the student's individual and/or summary health records, then the log must be retained until the youngest student listed in it attains age 27.

3.[139] **Student's psychological or social assessment record file**

NOTE: Institutional school districts should retain **all** these records until the student

attains age 27.

- a. Report regarding student's ability, personality, family, and environmental influences:
RETENTION: 6 years after report written
- b. Source materials used in preparing report, including "protocols," tests and notes, for students **not** classified as special education:
RETENTION: 1 year after report written
- c. Source materials used in preparing report, including "protocols," tests and notes, for students classified as special education:
RETENTION: 6 years

◆4.[329] **Inventory, storage, receipt and distribution records** for vaccines and controlled substances (or other drugs or medication) administered to students and/or employees:
RETENTION: 5 years

◆5.[330] **Student health summary reports**, covering all or groups of students, including school immunization survey summary and communicable disease summary report:
RETENTION: 3 years

◆6.[457] **Early intervention program records**, including but not limited to case record and screening, assessment and referral records

- a. Individual case record:
RETENTION: 7 years after discharge or last contact, but no less than 3 years after person attains age 18
- b. Screening, assessment and referral records, not found in individual case record:
RETENTION: 7 years

HUMAN RIGHTS/ECONOMIC OPPORTUNITY

- ◆1.[141] **Individual complaint or problem case file** of human rights, economic opportunity, equal employment, community relations or similar function, including individual case summary record

NOTE: Agencies may wish to retain records covered by parts "a" and "b" of this item beyond the minimum retention period for use in establishing patterns of complaints and for investigating and resolving future complaints. For records of affirmative action cases involving local government employees, see item no. 206c in the Personnel/Civil Service section, Personnel subsection.

- a. For case handled at local level (includes cases referred to New York State Division of Human Rights but **returned** to local agency for adjudication):

RETENTION: 6 years after last entry

NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. Local governments should consider permanent retention of significant cases handled at the local level. Contact the State Archives for additional advice in this area.

- b. For case referred to New York State Division of Human Rights:

RETENTION: 2 years after last entry

- ◆2.[142] **Summary record for individual case and/or master summary record of all cases:**

RETENTION: PERMANENT

- 3.[331] **Periodic statistical or narrative activity or progress reports** on human rights or economic opportunity office activities:

RETENTION: 6 years

NOTE: Appraise these records for historical significance prior to disposition. Periodic reports containing summary information not found in annual reports may have continuing value for historical or other research and should be retained permanently.

INSTRUCTION

◆1.[143] Curriculum records

NOTE: This also includes high school equivalency, alternative learning and adult education courses offered by a school district or BOCES.

- a. Course curriculum and related records describing course of instruction and course content:
RETENTION: PERMANENT
- b. Approved curriculum variance application:
RETENTION: 10 years after variance approved
- c. Approved application for occupational education (work-study) curriculum:
RETENTION: 4 years after curriculum discontinued
- d. Approved application for curriculum other than occupational education (work-study):
RETENTION: 1 year after curriculum discontinued
- e. Denied application for curriculum approval or variance:
RETENTION: 1 year after end of school year
- f. Individualized home instruction plan (IHIP), worksheets and related records:
RETENTION: 6 years after student graduates or would normally have graduated from high school
- g. Curriculum planning records:
RETENTION: 0 after no longer needed

NOTE: Reports and studies prepared as part of curriculum planning may have long-term value meriting continued preservation. Local officials should evaluate these records for continued, or permanent, preservation. Contact the State Archives for additional advice.

2.[144] Teacher's lesson plan: **RETENTION:** 0 after no longer needed by school district or BOCES

◆3.[145] Instructor's grade records, test scores, and marking sheets, including records documenting the evaluation of scientific models, biological specimens, chemical

compounds or other objects or materials produced in lab or shop settings:

RETENTION: 2 years

- ◆4.[146] **Examination and test answer papers**, including Regents examinations:
RETENTION: 1 year after end of school year
- 5.[147] **Records of hypodermic syringes and needles** acquired for educational use or for administration of vaccines and other controlled substances to students and/or employees
- a. Certificate of need for educational use:
RETENTION: 6 years after certificate expires
- b. Other records, including records of purchase, inventory, destruction, loss or theft:
RETENTION: 6 years
- ◆6.[149] **Training records for law-enforcement officers, E-911, dispatch or fire-fighting personnel**
- NOTE:** This item covers official records of public safety training conducted by county vocational education and extension boards or other ED-1 users.
- a. Individual's record of courses attended and/or completed, including basic information on course content:
RETENTION: 6 years after individual leaves service
- NOTE:** Local officials may wish to keep these records longer, possibly for the career of the individual, if the records are consulted throughout that period.
- b. Official copy of training manual or bulletin:
RETENTION: 50 years
- c. Course instruction records, including attendance lists and lesson plan:
RETENTION: 1 year
- ◆7.[333] **Application for and approval to offer high school equivalency preparation program**, physical education program, occupational education program, instructional programs for incarcerated students, adult education, alternative learning program, foreign exchange visitor program, or similar programs, including application by school district or BOCES, letter of determination, information on participating staff, State Education Department (SED) program review records, service plans, reports submitted to SED and correspondence:

RETENTION: 6 years

8.[334] **Regents examination and competency test report:**

RETENTION: 5 years

◆9.[335] **Summary records of standardized aptitude and achievement tests**, including but not limited to test result summaries, copies of tests, eligibility determination records, and records describing testing programs:

RETENTION: 1 year after end of school year

NOTE: For schools or districts placed "under corrective action" or "under registration review" by SED, these records may need to be retained until these designations are canceled by SED and no longer apply.

◆10.[458] **Emergency medical training records**, covering local governments which are course sponsors, including but not limited to information on individuals, course files, and information on instructors, as required by Section 800.20, *10NYCRR*

NOTE: This item covers records of emergency medical training for which school districts, BOCES or other ED-1 users are course sponsors. See item no. 35 in the School Safety section for records of training received by school personnel or students.

a. Information on individuals and course files:

RETENTION: 5 years

b. Information on instructors:

RETENTION: 5 years after working association of each instructor ceases

INSURANCE

- ◆1.[150] **Insurance (including self-insurance) case records, except** workers' compensation case record, including but not limited to notice of claim, copies of filed court documents, accident reports, medical reports, motor vehicle reports, appraisal report, copy of check, correspondence, and other supporting documentation:
RETENTION: 6 years after claim closed, but not until any minor reaches age 21, whichever is later
- NOTE:** The local government may wish to retain the release longer for convenience of reference. Proof of liability insurance coverage must be retained longer to cover claims relating to exposure to asbestos and other toxic substances. Consult your counsel or attorney to ensure that insurance policies and other appropriate documentation are retained as long as needed.
- ◆2.[151] **Workers' compensation case records (including Volunteer Firefighters Benefit Law) case records**
- a. If claim allowed:
RETENTION: 18 years after injury or illness, but not less than 8 years after last payment
- b. If claim disallowed after trial, or case otherwise disposed of without an award after the parties have been given due notice:
RETENTION: 7 years after injury or illness
- NOTE:** The employee injury record must be retained for 18 years after date of accident or injury, as required by Section 110, Workers' Compensation Law, even for disallowed claims. See item no. 474 in the Personnel/Civil Service section.
- 3.[152] **Master summary record** (log or register), of all (including workers' compensation) claims:
RETENTION: 0 after all claims and/or cases listed in master summary record have been disposed of
- 4.[153] **Insurance policy** covering fire, theft, property damage, personal injury liability, general liability, insurance of life or property, when **no outstanding claims are involved:**
RETENTION: 6 years after expiration, or until the report on examination is filed, whichever is later

- 5.[154] **Workers' compensation and employer's liability insurance policy**, when no outstanding claims are involved:
RETENTION: 18 years after expiration
- 6.[155] **Title insurance policy**, when **no** outstanding claims are involved:
RETENTION: 20 years after expiration
- ◆7.[156] **Certificate of insurance** certifying as to name of insured, type of insurance, limits of liability, date of expiration and policy number, when **no** outstanding claim is involved, **except** a certificate of insurance certifying as to a security bond or undertaking:
RETENTION: 6 years after expiration
- NOTE:** For the exceptions mentioned above, see item no. 215 in the Personnel/Civil Service section, item no. 112 in the Fiscal section and item no. 241 in the Public Property and Equipment section.
- 8.[157] **Insurance appraisal and/or survey**:
RETENTION: 0 after superseded or obsolete

LIBRARY/LIBRARY SYSTEM

NOTE: This section not only applies to school and BOCES libraries and school library systems, but also to the Chatham Public Library and Newburgh Free Library. Pursuant to the Local Government Records Law these two libraries are not considered autonomous public school district libraries, but are in fact, in regards to records management, part of the school district which operates them.

- 1.[165] **Incorporation, chartering and registration records:**
RETENTION: **PERMANENT**
- ◆2.[158] **Accession records:**
RETENTION: 1 year after accessioning procedure becomes obsolete
- NOTE:** Some libraries accession manuscripts, rare books and special collections, but not their general library holdings. In these cases, the accession records need to be retained only for the kinds of materials still accessioned.
- ◆3.[166] **Informational copies of records prepared by and received from public library system, including but not limited to directories, minutes, budgets and reports:**
RETENTION: 0 after superseded or obsolete
- 4.[159] **Borrowing or loaning records, including interlibrary loan:**
RETENTION: 0 after no longer needed
- 5.[160] **Catalog of holdings**
- a. Manuscript or published catalog:
RETENTION: **PERMANENT**
- b. Continuously updated catalog:
RETENTION: 0 after superseded or obsolete
- 6.[161] **Individual title purchase requisition which has been filled or found to be unfillable:**
RETENTION: 1 year
- ◆7.[162] **Records documenting selection of books and other library materials:**
RETENTION: 0 after no longer needed
- 8.[163] **Library material censorship and complaint records, including evaluations by staff, patrons' complaints and record of final decision:**

RETENTION: 6 years after last entry

NOTE: Appraise these records for historical significance prior to disposition. Some library censorship records deal with serious constitutional issues and may have value for future research.

◆9.[164] **Patron's registration** for use of rare, valuable or restricted non-circulating materials:

RETENTION: 6 years

MAGNET SCHOOLS

- 1.[336] **Documentation of process used for application, selection and placement of students in magnet school program, including explanation and justification of acceptance criteria:**
RETENTION: PERMANENT
- 2.[337] **Lists of students applying for placement and/or placed in magnet schools**
- a. Annual list of students placed in magnet schools:
RETENTION: 20 years
- b. List of students who applied for and/or were denied placement:
RETENTION: 3 years
- c. Other lists of students, created for internal administrative purposes:
RETENTION: 0 after no longer needed
- ◆3.[338] **Individual student application for placement in magnet school**
- a. When application is approved:
RETENTION: 6 years or student participation in program terminates, whichever is later
- b. When application is not approved or student does not enroll in program:
RETENTION: 3 years
- 4.[339] **Application to New York State Education Department to operate magnet school(s), including district plan and related records**
- a. Original application, including district plan for operating magnet school(s):
RETENTION: PERMANENT
- b. Renewal application and all other related records:
RETENTION: 6 years
- 5.[340] **Records of magnet school program monitoring by New York State Education Department, including but not limited to monitoring report, response and records of any resulting action taken:**
RETENTION: 6 years after date of most recent entry in record

MISCELLANEOUS

1.[170] **Non-public school student text book loan records**, including request for text books and record of loan and return:
RETENTION: 5 years

◆2.[341] **Pre-K and/or "Head Start" records** covering children enrolled in program operated by school district

NOTE: Schools may prefer to maintain these records as part of a student cumulative education record file. See item no. 275 in the Student Records section of this Schedule.

a. Individual child's folder, including but not limited to application from parent/guardian, individual service plan, conference notes, year-end or other reports, health records, family profile and social information:
RETENTION: 0 after child attains age 21

b. Applications from parent/guardian for enrollment of child in program, where child is not accepted or is not enrolled in program:
RETENTION: 3 years

c. Annual or other master listing of students enrolled in program:
RETENTION: 20 years

3.[394] **Records of auxiliary organizations or activities**, including but not limited to parent support organizations, such as PTA, employee unions, parent sponsored clubs, after-school activities which are not officially sanctioned by the school, and other miscellaneous records **in the custody or possession** of the school district or BOCES:
RETENTION: 0 after no longer needed

NOTE: Appraise these records for historical significance prior to disposition. Records which document the history of the community and its citizens may have continuing value for historical or other research and should be retained permanently. Contact the State Archives for additional advice.

◆4.[459] **Noise level monitoring records**, including but not limited to summary records, showing long-term trends and developments and original entry and intermediary records, including charts, graphs and statistics:
RETENTION: 6 years

NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. Local governments should consider permanent retention of summary records, showing long-term trends and developments, in cases where noise levels are a matter of public concern. Contact the State Archives for additional advice in this area.

◆5.[172] **Minority- and women-owned business files**, covering minority- and women-owned businesses doing business with or in the jurisdiction of a local government

- a. Summary record listing businesses, eligibility criteria and official government policy statement:

RETENTION: PERMANENT

- b. Detailed application/questionnaire/response completed by business:

RETENTION: 5 years after date of most recent entry in record

NOTE: Appraise these records for historical significance prior to disposition. If the local government uses its own rather than statewide criteria for approving these businesses, then these records may document minority- and women-owned business operating in the community.

- c. Directory of state-approved minority- and women-owned businesses, supplied by State Department of Economic Development:

RETENTION: 0 after superseded

- d. Other records, including job quotes, bid lists, referrals, credit and character references and affidavits, **but not including** summary record, detailed application/questionnaire/response, eligibility criteria and official government policy statement, and state-supplied directory of businesses:

RETENTION: 6 years after contract expiration

6.[173] **Record of gifts and bequests to a local government**, including copy of will, copies of deeds, maps and surveys (if applicable) and records of establishment of and use of monies generated by trust fund or endowment

NOTE: This does not apply to donations of monies, prizes and scholarships awarded students, which are covered by item no. 282 in the Student Records section, Miscellaneous subsection. This does not apply to donations of real property, which are covered by item no. 238 in the Public Property and Equipment section.

- a. When trust fund or endowment is involved:

RETENTION: PERMANENT

b. For gift of work of art, historical or other artifact or historical manuscript:
RETENTION: PERMANENT

c. For gift or bequest not covered under parts "a" or "b," or by note above:
RETENTION: 6 years

7.[397] **Community service records**, showing time worked and type of tasks performed by person sentenced by court to community service:
RETENTION: 6 years, or 3 years after individual attains age 18, whichever is longer

◆ 8. [460] **Miscellaneous records**, received by local government agency in the course of official business:
RETENTION: 0 after no longer needed

NOTE: Appraise these records for historical significance prior to disposition. Records which document the history of the community and its citizens may have continuing value for historical or other research and should be retained permanently. These records may contain valuable information which supplements records created by the local government itself. Records not retained permanently may be offered to a local historical records repository. Contact the State Archives for additional advice.

NOTE: Upon the receipt of these non-public manuscript records by a local government agency in the course of official business, these records all become "local government records" subject to this Schedule. Published materials received by a local government are not considered to be public records.

◆ 9.[393] **Photographs or other visual media records**, created by a local government, which are not part of a record series listed elsewhere in this Schedule:
RETENTION: 0 after no longer needed

NOTE: Appraise these records for historical significance prior to disposition. Some photographs and other visual media records may have continuing value for historical or other research and should be retained permanently. Contact the State Archives for additional advice.

◆ 10.[461] **Lobbying activity records**, including but not limited to registration records, individual reporter designation records, and periodic reports of lobbying activity filed with New York Temporary State Commission on Lobbying:
RETENTION: 3 years

◆ 11.[462] **Residency determination records** for student, other than information contained in cumulative education record file, and including hearing record

RETENTION: 1 year after date of final determination or 1 year after student no longer enrolled in district, whichever is longer

- ◆ 12.[463] **Financial or political interest disclosure records**, filed by vendor or contractor doing business with the local government:

RETENTION: 6 years

- ◆ 13.[464] **Annual financial disclosure statements**, filed by local political party official or candidate for local elected office, pursuant to Section 812.1 (a), General Municipal Law:

RETENTION: 7 years

- ◆ 14.[465] **Parolee and sex offender records**, including lists of parolees or sex offenders living within a jurisdiction:

RETENTION: 0 after superseded or obsolete

- ◆ 15.[466] **Non-public school discontinuance records**, including but not limited to notification of transfer of discontinued non-public school student records to other school or agency, and non-public school student records transferred from discontinued non-public school to public school district:

RETENTION: PERMANENT

- ◆ 16.[467] **Copies of custody orders and other miscellaneous social services records** relating to individual students, maintained by school districts and BOCES:

RETENTION: 0 after student attains age 18

- ◆ 17.[468] **Youth court case files**, documenting the operation of youth courts, including but not limited to records of cases heard by the courts; forms signed by defendants, their guardians, and youth court staff; records concerning completion of sentence requirements, such as community service; and case notes of contacts made in reference to a defendant's case:

RETENTION: 6 years after case closed or 3 years after individual attains age 18, whichever is longer

- ◆ 18.[469] **Appeal or petition to the Commissioner of Education**, filed pursuant to Section 310, Education Law, along with related records, when not related to a specific series of records listed on this Schedule:

RETENTION: 3 years after resolution of appeal or petition

NOTE: Appeals or petitions relating to specific series of records listed on this Schedule should be retained as part of or as long as that respective series.

- ◆ 19.[470] **Child day care program records**

- a. Participant records, including applications to attend day care program; children's immunization and health records, including parent's consents for emergency medical treatment; and related records:
RETENTION: 3 years after child attains age 18
- b. Program records not covered by other items on this Schedule, including those required to be maintained by 18 NYCRR Sections 414.15, 418-1.15 and 418-2.15, including program registration records; video surveillance tapes; daily attendance records; staff health statements; Statewide Central Register clearance forms and related records; documentation of facility compliance with Uniform Fire Prevention and Building Code and other state requirements; description of program activities; and related records:
RETENTION: 6 years or 6 years after superseded or obsolete, whichever is longer
- c. Applications from parent/guardian for enrollment of child in program, where child is not accepted or is not enrolled in program:
RETENTION: 3 years

◆20.[471] **Family literacy program records**

- a. Family folder, including but not limited to application from parent/guardian, testing records, service plan, records of home visits, conference notes, year-end progress or other reports, health records, family profile and social information:
RETENTION: 0 after youngest child attains age 21
- b. Applications (including related testing records) from parent/guardian for enrollment of child in program, where child is not accepted or is not enrolled in program:
RETENTION: 3 years
- c. Annual or other master listing of students and families enrolled in program:
RETENTION: 20 years
- d. Performance indicators used to monitor, evaluate and improve program:
RETENTION: 6 years after superseded or obsolete

MUSEUM

- ◆ 1.[472] **Exhibit file** documenting planning, construction, and use of exhibit, including but not limited to installation photographs and slides, sketches, worksheets, publicity, brochures, exhibit catalogs, inventory lists, loan agreements and visitor surveys
- a. Brochures, exhibit catalogs, installation photographs and slides, and inventory lists:
RETENTION: PERMANENT
 - b. All other records:
RETENTION: 6 years after exhibit closed
- NOTE:** Appraise these records for historical significance prior to disposition. Some of these records may have continuing value for historical or other research and should be retained permanently. Contact the State Archives for additional advice.
- ◆ 2.[473] **Collections records** documenting acquisition, accession, deaccession, loan, conservation, and use of materials, including but not limited to accession register, loan agreement, inventory of collection and conservation treatment record
- a. Routine records, including but not limited to notes and internal memoranda:
RETENTION: 1 year
 - b. All other collections records:
RETENTION: PERMANENT

NURSING EDUCATION

- ◆1.[175] **Program operation authorization records**, including but not limited to application, inspection reports, authorization, and registration:
RETENTION: PERMANENT

- 2.[176] **Program catalog**, including but not limited to course of instruction, course content, and rules and regulations:
RETENTION: PERMANENT

- ◆3.[178] **State Education Department licensing examination eligible list:**
RETENTION: 3 years after the end of the school year

PERSONNEL/CIVIL SERVICE

PERSONNEL

◆ 1.[199] **Personnel records of local government employees** (includes volunteers and interns)

- a. Master summary record from personnel case file, including but not limited to personal information, dates of employment, job titles, and civil service status:

RETENTION: PERMANENT

- b. Personnel case file materials, except summary information record, and including but not limited to application for employment, resume, report of personnel change, evaluation, certification, civil service examination results, notice of resignation or termination, and correspondence:

RETENTION: 6 years after termination of employment

NOTE: Reports of personnel changes may be included in personnel case files, in which case they are subject to the indicated minimum retention period. Other copies of these reports are maintained by other offices and are covered by item no. 223, below.

NOTE: Employers may wish to retain records for lengthier periods (i.e., the duration of preferred eligible lists) when employees are placed on preferred eligible lists at the time of termination. These lists have a duration of seven years under Sections 2510 and 3013 of Education Law. For New York City, preferred eligible lists are established under Section 2588 of Education Law without specified durations.

- c. Personnel-related records of reports of allegations of child abuse against school employees and volunteers in an "educational setting" (as defined in Section 1125, Education Law), for those reports which do not result in criminal convictions:

RETENTION: 5 years after the date of the report, or after such earlier time as may be determined by the school or district

NOTE: Personnel-related records which do result in criminal convictions are covered by part "b". For related records of child abuse and maltreatment, see item no. 140 in the School Safety section.

- d. Earnings (in-service) credit records, covering teachers, teacher assistants

and other personnel:

RETENTION: 75 years after date of birth of employee, 55 years after earliest document in file if date of birth is not known, or 6 years after termination of employment, whichever is later

- 2.[200] **Investigative records and disciplinary proceedings**, including but not limited to statement of charge, transcript of hearing, notice of decision, letter of termination or resignation, letter of reinstatement, record of appeal procedure, and correspondence:

RETENTION: 3 years after final decision rendered

NOTE: Records covered by this item may be destroyed before this retention period has been reached, if specified either in a union contract or settlement between the employer and employee.

NOTE: Affirmative action and related complaints may be covered by item no. 206c, below.

- ◆3.[201] **Employee's time records** covering leave, absences, hours worked and scheduling, and including but not limited to employee's time cards or sheets, request for change of work schedule, vacation schedule, report of absence and request for leave without pay:

RETENTION: 6 years

NOTE: Local governments may wish to retain these records longer, perhaps up to 6 years after employee termination, if they are used for that extended period to document time accumulation or usage, disciplinary actions, or for workers' compensation claim purposes. Local governments should note, however, that other records might serve the same purposes, including item no. 199 from the Personnel/Civil Service section, item nos. 179a, 179b and 189 from the Fiscal section, Payroll subsection, and item no. 151 from the Insurance section.

- ◆4.[202] **Annual or other financial disclosure statements**, filed by local government employees or officials, pursuant to Section 812.1 (a), General Municipal Law, or local law:

RETENTION: 7 years

- ◆5.[203] **Employee training history records** documenting employee continuing education, training and development, including employee identification, training received, dates of training, and related records:

RETENTION: 6 years after termination of employment, but no less than 7 years for records documenting professional development programs completed by employees in positions requiring teaching certification

NOTE: Additional records providing detailed information on training history can be destroyed when no longer needed, provided that summary records are retained for the indicated retention period. For retention requirements for specific types of employee training history, see the following items: for public safety training, see item no. 149 in the Instruction section; for commercial pesticide applicator training, see item no. 357 in the Public Property and Equipment section; for emergency medical training, see item no. 35 in the School Safety section; for school bus driver training, see item no. 303 in the Transportation section. Records of earnings (in-service) credits are covered by item no. 199, above.

- ◆6.[204] **Administrative organization chart and related records** showing administrative and supervisory organization:

RETENTION: 0 after superseded or obsolete

NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. Contact the State Archives for additional advice.

- ◆7.[205] **Identification card records**, when card is issued to local public employee:

RETENTION: 6 months after becoming invalid

- ◆8.[206] **Equal employment opportunity report and related records**

- a. Annual, long-term or special (narrative or statistical) reports, goals and achievements:

RETENTION: PERMANENT

- b. Periodic reports, statistics and other records used in compiling annual, long-term or special (narrative or statistical) reports, goals and achievements:

RETENTION: 1 year

- c. Affirmative action and related complaint investigation records:

RETENTION: 3 years after date of final determination

NOTE: Agencies may wish to retain records covered by part "c" of this item beyond the minimum retention period for use in establishing patterns of complaints and for investigating and resolving future complaints.

- ◆9.[207] **Health and life insurance records**

- a. For employee with or without dependent survivor:

RETENTION: 3 years after termination of employee's or dependent survivor's coverage, whichever is later

- b. Claim for benefits (copy, where original is submitted directly by employee):
RETENTION: 1 year
- c. Health and life insurance coverage reports:
RETENTION: 6 years
- d. Declination statement filed by employee:
RETENTION: 6 years after separation from service

10.[208] **Unemployment insurance records**

- a. Claim filed by employee, when claim is approved:
RETENTION: 6 years after final payment
- b. Claim filed by employee, when claim is disqualified:
RETENTION: 3 years after filing
- c. Claim payment reports:
RETENTION: 6 years

11.[209] **Labor-management meeting records**, including minutes of meeting, agenda, reports, and correspondence

- a. Minutes and reports:
RETENTION: **PERMANENT**
- b. Meeting agenda, correspondence, and other records:
RETENTION: 6 years

12.[210] **Public employee contract negotiations records**, including but not limited to proposals, summary of proceedings, copies of salary schedules and contracts, P.E.R.B. fact-finding report, and correspondence

- a. All documentation in record, **except** routine correspondence, routine memoranda and drafts:
RETENTION: **PERMANENT**
- b. Routine correspondence, routine memoranda and drafts:
RETENTION: 1 year

◆ 13.[211] **Job action records** documenting strikes, work stoppages, informational picketing and other job actions conducted by local government employees, including but not limited to correspondence and memoranda, press clippings, copies of notices of violation, detailed and summary records of employees' participation, and penalties

levied upon participants

- a. All documentation in record, **except** detailed listings of all employees present at various events and other records lacking substantive informational value:

RETENTION: PERMANENT

- b. Detailed listings of all employees present at various events, and other records lacking substantive informational value:

RETENTION: 6 years

- ◆ 14.[212] **Public employee grievance records**, including but not limited to grievance, investigative records, hearing proceedings, decision rendered by employer, employee appeal, records of arbitration procedure, final decision, and correspondence:

RETENTION: 3 years after grievance is resolved

- ◆ 15.[213] **On-site safety inspection records**, including individual inspections and summary of findings:

RETENTION: 3 years after last entry

- ◆ 16.[214] **Toxic substance exposure records**

- a. Records of exposure or possible exposure of an employee to a toxic substance or other harmful physical agent, including background data to environmental monitoring or measuring, biological monitoring records which are designated as exposure records, material safety data sheets or chemical inventory records indicating use and identity of a toxic substance or harmful physical agent, and related records:

RETENTION: 30 years

NOTE: Environmental monitoring background data may be destroyed after 1 year provided that sampling results, methodology, a description of the analytical method used, and a summary of other background data relevant to the interpretation of results are retained for at least 30 years, as provided in *29CFR* 1910.1020 (d-1) (ii-A).

- b. Lists, or material safety data sheets, of toxic substances present in the workplace and of employees who handle those substances:

RETENTION: 40 years after superseded or obsolete

- c. Material safety data sheet or fact sheet, providing detailed information on specific toxic or other substance at workplace, when **not** used for parts "a" or "b," above, as the list of toxic substances (as defined in *29CFR* 1910,

Subpart Z) in the workplace **or** for substances **not** defined in *29CFR* 1910, Subpart Z as being toxic:

RETENTION: 3 years after substance no longer present at workplace

NOTE: If material safety data sheets or fact sheets are used for parts "a" or " b," above, as the list of toxic substances (as defined in *29CFR* 1910, Subpart Z) in the workplace, then those sheets should be maintained for the time periods indicated by parts "a" or "b."

- d. Summary records of toxic substance training, including but not limited to minutes of meetings and training sessions and summary descriptions of training given employees:

RETENTION: 3 years after separation from service of all employees involved

NOTE: This retention may be difficult to calculate in instances where a number of employees have attended the same training. Local officials may wish to retain these summary training records for 60 years or another period sufficient to ensure that all concerned employees have separated from service.

NOTE: For training history records of individual employees in handling toxic substances, see item no. 203, above.

- e. Policy statements and procedures issued by local government relative to dealing with toxic substances:

RETENTION: PERMANENT

17.[215] **Personal surety bond** or undertaking of public official:

RETENTION: 20 years after coverage expires

18.[216] **Listing or roster of local government officials or employees**, including names, addresses, titles and other pertinent information:

RETENTION: PERMANENT

19.[217] **Oath of office or record of official signature** of public employee

- a. Official copy:

RETENTION: PERMANENT

- b. Oath of any election official:

RETENTION: 1 year after election

- ◆ 20.[218] **Substitute teacher registry records**, including records of centralized substitute teacher registries
- a. Registration application and qualification and availability records:
RETENTION: 6 years after individual's registration is discontinued
 - b. Work assignment record:
RETENTION: 55 years
- 21.[219] **Subversive activity report** submitted to Commissioner of Education, along with employee statements and related records
- a. Summary report submitted to Commissioner of Education:
RETENTION: PERMANENT
 - b. Records relating to person charged with subversive activity, or membership in a subversive organization, including hearing records and record of final disposition of case:
RETENTION: PERMANENT
 - c. Declarations by persons claiming no involvement in subversive activities or membership in subversive organizations:
RETENTION: 3 years
- ◆ 22.[220] **Log and summary of occupational injuries and illnesses**, created pursuant to *12NYCRR*, 801.7 and *29CFR*, 1904.6:
RETENTION: 5 years
- NOTE:** If these records are intended to also satisfy the legal requirements of Section 110, Workers' Compensation Law, and no separate records covered by item no. 474, below, are created, then these records must be retained for 18 years after date of injury or illness.
- ◆ 23.[474] **Employee injury record**, covering work-related accident or occupational disease, created pursuant to Section 110, Workers' Compensation Law:
RETENTION: 18 years after date of injury or illness
- ◆ 24.[221] **Employee medical records**
- NOTE:** This item does not include health insurance records, which are covered by item no. 207, above, or toxic substance exposure records, which are covered by item no. 214, above.
- a. First aid records of one-time treatment and subsequent observation of minor

illnesses and injuries, as defined in 29CFR 1910.1020 (d-1) (i-B), if made on-site by a non-physician and maintained separately from the employee medical records:

RETENTION: 3 years after completion of treatment and subsequent observation

- b. Medical records, **other than** those covered by part "a", including medical questionnaires and histories, the results of medical examinations and laboratory tests, medical opinions, diagnoses and recommendations, first aid records, descriptions of treatments and prescriptions, employee medical complaints, and related records, for employee who worked **one year or longer**:

RETENTION: 30 years after termination of employment

- c. Medical records, **other than** those covered by part "a", including medical questionnaires and histories, the results of medical examinations and laboratory tests, medical opinions, diagnoses and recommendations, first aid records, descriptions of treatments and prescriptions, employee medical complaints, and related records, for employee who worked **less than one year**, provided copies were given to the employee upon termination of employment, pursuant to 29CFR 1910.1020 (d-1) (i-C):

RETENTION: 3 years after termination of employment

NOTE: If copies are **not** given to the employee upon termination of employment, the retention specified in part "b," above, must be followed.

- ◆25.[169] **Notification of vacancy in office**, or filling of vacant position:

RETENTION: 0 after position filled or abolished

- 26.[345] **Drivers' license review records for local government officials, employees or volunteers**

- a. When **no** action is taken as result of review:

RETENTION: 0 after no longer needed

- b. When action is taken as result of review:

RETENTION: 3 years

- 27.[344] **Employee attestation of knowledge of code of ethics, staff policy manual or other official policies or procedures:**

RETENTION: 3 years after superseded or upon termination of employment

- 28.[346] **Records documenting the specimen collection and testing process**, for commercial motor vehicle driver alcohol and drug testing

- a. Official copy of all policies and procedures, including documentation of the random selection process:
RETENTION: PERMANENT
 - b. Quality control records, including calibration records for testing equipment, assuring that testing equipment is operating correctly:
RETENTION: 5 years
 - c. Annual statistical and other reports:
RETENTION: 6 years
- NOTE:** Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently.
- d. Other records, including periodic reports and statistics and collection logbooks:
RETENTION: 2 years

◆29.[347] **Drivers' test results and related records**

- a. Verified positive controlled substance test results or alcohol test results indicating a breath or blood alcohol concentration equal to or greater than 0.02, documentation that **individual employee's** test was conducted and specimen handled properly, records of dispute of test results by driver, justification for conducting other than random test, records of compliance with Substance Abuse Professional's (SAP's) recommendations, correspondence and related records:
RETENTION: 6 years after termination of employment
- b. Verified positive controlled substance test results or alcohol test results indicating a breath or blood alcohol concentration equal to or greater than 0.02, documentation that **individual job applicant's** test was conducted and specimen handled properly, records of dispute of test results by individual, justification for conducting other than random test, records of compliance with Substance Abuse Professional's (SAP's) recommendations, correspondence and related records:
RETENTION: 3 years
- c. Negative or canceled control substance test result or alcohol test result indicating a breath or blood alcohol concentration less than 0.02:
RETENTION: 1 year
- d. Records relating to a driver's refusal to take alcohol or substance abuse test:

RETENTION: 6 years after termination of employment

- e. Records relating to a job applicant's refusal to take alcohol or substance abuse test:

RETENTION: 3 years

- 30.[348] **Documentation of other violations of alcohol or substance abuse rules**, including results of alcohol or substance abuse tests administered by law enforcement personnel, copies of police reports and medical records:

RETENTION: 6 years after termination of employment

- ◆31.[349] **Staff training and evaluation records** for commercial motor vehicle driver alcohol and drug testing

- a. Official copy of course syllabus or any local government produced training or advisory publication or videotape:

RETENTION: 6 years after superseded

- b. Other training records including lists of attendees, copies of instructors' course or class notes, documentation of instructors' training and proof that employees have received required reading materials:

RETENTION: 6 years

NOTE: For training history records of individual employees, see item no. 203, above.

- ◆32.[174] **Teacher certification records**, including copies of applications, transcripts and other records submitted to New York State Education Department:

RETENTION: 5 years

NOTE: This item covers copies of teacher certification records maintained separate from individual teachers' personnel files. Certification records for individual teachers should be retained based on item no. 199b, above.

- 33.[350] **List of teachers whose teaching certificates have been revoked:**

RETENTION: 1 year

- ◆34.[475] **Employment Eligibility Verification Form I-9**, completed by employee and employer for all employees hired after November 6, 1986 verifying that the individual is eligible to work in the United States, including verification documents attached to the form:

RETENTION: 3 years from date of hire or 1 year after employment is terminated, whichever is later

- ◆ 35.[476] **Employee assistance program records**
- a. Reports and statistical compilations:
 RETENTION: 6 years after date of most recent entry
 - b. Program (including course and seminar) and literature files:
 RETENTION: 1 year after program no longer offered or literature superseded or otherwise obsolete
 - c. Employee consultation records:
 RETENTION: 3 years after date of most recent entry in record
- ◆ 36.[477] **Professional development plan records**, describing how teachers will be provided with substantial professional development opportunities
- NOTE:** If the professional development plan is part of the comprehensive district education (or equivalent) plan, it is covered by item no. 402a in the Administration section.
- a. Professional development plan, including all amendments and updates:
 RETENTION: **PERMANENT**
 - b. Plan development and adoption records, including records of plan development team, and related records:
 RETENTION: 6 years
- ◆ 37.[478] **Professional performance review plan records**
- a. Professional performance review plan, including all amendments and updates:
 RETENTION: **PERMANENT**
 - b. Plan development, adoption, variance and related records:
 RETENTION: 6 years
- ◆ 38.[479] **Mentor teacher internship plan records**
- a. District internship or equivalent plan, including all amendments and updates:
 RETENTION: **PERMANENT**
 - b. Plan development, adoption, variance and related records, including records of plan submission to and approval by the State Education Department:

RETENTION: 6 years

CIVIL SERVICE

1.[222] **Established position record** showing a history of each position and names and other pertinent information about persons who occupied it

NOTE: The official listing or roster of all local government officials or employees, covered by item no. 216, must be retained permanently.

a. If record contains detailed information about the position and persons who occupied it:

RETENTION: PERMANENT

b. If record only provides lists of names of employees:

RETENTION: 1 year after final entry in record

◆2.[223] **Report of personnel change**, (including employee transfer record), **except** copy retained in employee's personnel records

NOTE: Reports of personnel changes may also be found in employee personnel records. When filed in an employee personnel record, such copies are subject to lengthier retention requirements. See item no. 199, above.

a. Copy retained by school or district:

RETENTION: 6 years

b. Employee transfer record:

RETENTION: 0 after termination of employment, but not less than 6 years

3.[224] **Job classification records**, including job classification questionnaire, analysis of job duties and request for reclassification:

RETENTION: 1 year after subsequent classification action completed, but not less than 10 years

◆4.[225] **Official copy of job posting and position duties statement**

a. When duties of position are described in detail:

RETENTION: PERMANENT

b. When duties of position are **not** described in detail:

RETENTION: 6 years

- ◆5.[226] **Personnel requisition** made to civil service or personnel office, requesting that vacancy be filled:

RETENTION: 0 after obsolete

- ◆6.[227] **Civil service eligible list records**

- a. Certification of eligible list sent to and retained by appointing authority:

RETENTION: 3 years after expiration of eligible list

- b. Request for certification of eligible list:

RETENTION: 1 year after expiration of eligible list, but not less than 3 years

- c. Eligible list canvass records, including but not limited to precavass questionnaire and letter of canvass and reply:

RETENTION: 6 months after expiration of eligible list, but not less than 3 years

- 7.[228] **Application for employment**, including resume, when applicant **not** hired:

RETENTION: 3 years

NOTE: When the applicant is hired, the application is retained in or as long as the personnel file. See item no. 199 in the Personnel subsection, above.

- ◆8.[480] **Recruitment, hiring, interview and selection records**, including but not limited to correspondence, reports, selection criteria, interview notes, background check records, fingerprint check records including consent forms and clearance checks, rating and ranking forms, evaluations and other records pertaining to the hiring, promotion, demotion, transfer, layoff and termination of employees:

RETENTION: 3 years after completion of personnel action

NOTE: This item does not cover personnel records of individual employees. See item no. 199 in the Personnel subsection, above. Local governments may wish to include fingerprint check records and other materials concerning job applicants who are hired in those individuals' personnel records.

- ◆9.[229] **Civil service examination records**

- a. Civil service examination and announcement (**other than** official copy held by office with official civil service function):

RETENTION: 0 after no longer needed

- b. Summary listing of examination results:
RETENTION: 1 year after date of examination

10.[230] **Seniority list** ranking employees by length of service:
RETENTION: 3 years after superseded or obsolete

◆11.[351] **Copy of payroll, or payroll report**, submitted to civil service office for certification or approval:
RETENTION: 0 after superseded

NOTE: Official copy of payroll must be retained for 55 years. See item no. 179 in the Fiscal section.

PUBLIC ACCESS TO RECORDS

- ◆1.[231] **Subject matter list** of records held by local government, required under Freedom of Information Law:
RETENTION: 6 months after superseded
- ◆2.[232] **Listing of officers or employees** of local government required by Freedom of Information Law:
RETENTION: 6 months after superseded
- ◆3.[233] **Register or list** of applicants seeking access to public records:
RETENTION: 6 months
- ◆4.[234] **Freedom of Information records request file**

NOTE: Requests for access to special education records, maintained pursuant to Section 300.563 of 34 *CFR*, are covered by item no. 374, found in the Special Education section in this Schedule.

- a. Request for access to public records, when request is granted:
RETENTION: 6 months
- b. Request for access to public records, when request is denied, including statement of denial, appeal records, documentation of review and decision:
RETENTION: 6 months after final determination
- c. Certificate that record does not exist or cannot be found:
RETENTION: 6 months

PUBLIC EMPLOYMENT AND TRAINING

- ◆1.[235] **Employment and training program file** for Job Training Partnership Act, Comprehensive Employment and Training Act (C.E.T.A.), Manpower Development and Training Act, youth employment training, Work Force Investment Act, and other job training programs
 - a. Project application, proposal, narrative, evaluation, and annual report:
 RETENTION: 6 years

 NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently.
 - b. Background material and supporting documentation:
 RETENTION: 6 years

- 2.[236] **Employment and training program individual participant file**, including but not limited to application, work schedule, evaluations, and notice of transition to non-grant employment:
 RETENTION: 6 years after last entry

- 3.[237] **Denied employment and training enrollment application:**
 RETENTION: 3 years

PUBLIC PROPERTY AND EQUIPMENT

- ◆1.[238] **Real property acquisition or sale file** for property owned by local government including but not limited to copy of deed, copy of appraisal or valuation, copy of site or plot plan, photographs, recommendation or justification for acquisition or sale, approval for acquisition or sale, closing statement, memoranda and correspondence
 - a. Copy of site or plot plan, photographs, and recommendation or justification for acquisition or sale:
RETENTION: PERMANENT
 - b. Other records in file, including but not limited to copy of deed, copy of appraisal or valuation, closing statement, approval for acquisition or sale, memoranda and correspondence:
RETENTION: 6 years after property no longer owned by local government

- 2.[239] **Master summary record** (book, log or register) recording acquisition or sale of property by local government:
RETENTION: PERMANENT

- 3.[240] **Official copy of sale or auction list, and notice or advertisement of sale of real property by local government:**
RETENTION: PERMANENT

- ◆4.[241] **Capital construction or public improvement project file**, including but not limited to bids, specifications, contracts, performance guarantees, inspection reports, and environmental impact statements

NOTE: For plans, maps, designs, sketches, designs, architectural drawings and photographs of buildings and facilities, see item no. 242, below.
 - a. Feasibility studies; successful bids; plans, specifications and designs; project description; in-progress and completion photographs; inspection reports; environmental impact statement; annual project statement; fiscal and other final reports; significant change orders; and significant correspondence:
RETENTION: 6 years after building or facility no longer exists or is no longer owned by local government
NOTE: Appraise these records for historical significance prior to disposition. Records for important projects or historic structures have

historical value and should be retained permanently. Contact the State Archives for additional advice.

- b. Supplementary documentation, including application for assistance, project budget, interim fiscal reports, claims, contracts, vouchers, work orders, memoranda, worksheet, non-significant change orders; routine correspondence and detailed construction specifications:
RETENTION: 6 years after last entry in project file
- c. Unsuccessful bids, to which contract is **not** awarded:
RETENTION: 6 years after expiration or termination of contract which is awarded or 6 years after final payment under contract, whichever is later
- d. All records, when project is proposed but **not** undertaken:
RETENTION: 6 years after last entry

◆ 5.[242] **Official plans, maps, designs, architectural drawings, and photographs** for buildings or other facilities owned by local government, including index, and also including design file for capital construction or renovation project

- a. Final or "as built" plans, maps, designs, sketches, architectural drawings and photographs, for significant building or other facility:
RETENTION: **PERMANENT**
- b. Final or "as built" plans, maps, designs, sketches, architectural drawings and photographs, for **other than** significant building or other facility:
RETENTION: 6 years after building or facility no longer exists or is no longer owned by local government
- c. Mechanical, electric and other detailed schematic drawings, not covered by parts "a" or "b," including detailed specifications not appearing on plans, maps, designs, sketches, architectural drawings:
RETENTION: 6 years after building or facility no longer exists or is no longer owned by local government
- d. Other related non-graphic design file documents, including correspondence, cost estimates, reports, planning studies and other records:
RETENTION: 6 years after completion of project

NOTE: Some of these non-graphic documents may need to be retained for 6 years after the building or other facility no longer exists, if they document significant changes with long-term fiscal and other implications. Local governments should review these records for these possible uses prior to

disposition.

- e. Template or other similar automated framework or reference files used in conjunction with more specific automated design files:
RETENTION: Retain as long as the related specific automated design files are retained.
- f. Index or similar record used to locate, identify and access plans, maps, designs, sketches, architectural drawings, photographs and other existing records:
RETENTION: Maintain as perpetual data file or other record, deleting information only relating to records that have been disposed of.

- ◆6.[243] **Draft or intermediary plans, maps, designs, sketches or architectural drawings**, including explanatory textual files, tracings and **other than** final or "as built" automated design files:
RETENTION: 0 after no longer needed

NOTE: Some of these design documents may need to be retained for 6 years or longer, possibly as long as the building or other facility exists, if they document significant changes with long-term fiscal and other implications. Local governments should review these records for these possible uses prior to disposition.

- ◆7.[481] **Maintenance, testing, service, operational and repair records** for buildings and other facilities or their mechanical, electrical systems or other infrastructure

NOTE: For plans, designs and schematic drawings of buildings and facilities, including their systems and component parts, see item no. 242, above.

- a. Cumulative summary records:
RETENTION: 6 years after building or other facility no longer in use
- b. Individual detailed report or related record, such as work request, work order, personnel deployment record, preventive maintenance schedules and records of work completed, when posted to cumulative summary record:
RETENTION: 6 years
- c. Individual report or related record, such as work request, work order, personnel deployment record and records of work completed, when **not** posted to cumulative summary record:
RETENTION: 6 years after building or other facility no longer in use

- d. Log, maintenance schedule or similar record of ongoing activity:
RETENTION: 6 years after last entry
- e. Descriptive information on specific equipment or component parts:
RETENTION: 6 years after equipment or part no longer in use
- f. Descriptive information on maintenance personnel, vendors or contractors:
RETENTION: 1 year after superseded or obsolete
- g. Inventories of parts, materials and supplies needed for maintenance and repairs:
RETENTION: 6 years
- h. Requests for inspection, repair or service, when no work is performed and no funds expended:
RETENTION: 1 year

- ◆ 8.[482] **Reports and studies relating to maintenance, testing, service, operation and repairs** for buildings and other facilities or their mechanical, electrical systems or other infrastructure:
RETENTION: 6 years

NOTE: Some of these reports may need to be retained longer for long-term facility management purposes, such as for 6 years after building or other facility no longer in use. Some may even have permanent historical or other research value. Contact the State Archives for additional information.

- ◆ 9.[245] **Public facility use file**, including but not limited to requests, correspondence, fiscal records and authorizations:
RETENTION: 6 years

NOTE: Appraise these records for historical significance prior to disposition. In some cases, facility use files may document significant attempts by the local government to broaden its support base by reaching out to community groups.

- ◆ 10.[247] **Property inventory records**, covering buildings, facilities, vehicles, machinery and equipment, including "fixed assets" records:
RETENTION: 6 years after superseded by updated inventory, or 6 years after replacement, sale, or discontinuance of use of all property listed, whichever is sooner

- 11.[248] **Inventory of supplies:**
RETENTION: 6 years

- 12.[249] **Public property sale or discard records, except** real property, including but not limited to description of property, bids or offers, and receipt of deed of gift:
RETENTION: 6 years
- ◆ 13.[250] **Maintenance, testing, service, operational and repair records** for equipment or vehicle, but **not** covering buildings and other facilities or their mechanical, electrical systems or other infrastructure
- a. Cumulative summary record for vehicle or equipment:
RETENTION: 6 years after vehicle or equipment no longer in use
 - b. Individual report when posted to cumulative summary record:
RETENTION: 6 years
 - c. Individual report when **not** posted to cumulative summary record:
RETENTION: 6 years after vehicle or equipment no longer in use
 - d. Maintenance or repair log or similar record:
RETENTION: 6 years after last entry
 - e. Reports and studies relating to maintenance, testing, service, operation and repairs for equipment or vehicles:
RETENTION: 6 years
 - f. Requests for inspection, repair or service, when no work is performed and no funds expended:
RETENTION: 1 year
- 14.[251] **Specifications, warranty and descriptive information** received from vendor for vehicle or equipment:
RETENTION: 6 years after vehicle or equipment no longer in use
- ◆ 15.[252] **Vehicle routing, scheduling and usage records**, including automated system used to schedule and assign routes of service and maintenance vehicles
- NOTE:** This does **not** apply to school bus routing records. See Transportation section, School Bus Routing and Scheduling subsection.
- a. Detailed data file containing information such as on vehicle stops, usage, locations at specific times or intervals:
RETENTION: 0 after no longer needed
- NOTE:** Because of the amount of detailed data collected by such systems,

such data may only be maintained online for a limited period of time. Some of this data may need to be retained longer to meet both administrative needs and legal requirements. It is recommended that local officials store this data offline long enough to meet such requirements. Also, maintenance of a history file (see below) containing the most significant data elements may satisfy these administrative and legal needs.

- b. Automated system operation history file, containing significant data and/or periodic data snapshots, generated from detailed system data:
RETENTION: 6 years
- c. Logs, schedule, reports, and queries (including macros, queries and necessary documentation used in report and query generation), which contain information of legal or fiscal value:
RETENTION: 6 years
- d. Logs, schedules, reports, and queries (including macros, queries and necessary documentation used in report and query generation), which **do not** contain information of legal or fiscal value:
RETENTION: 0 after no longer needed

16.[253] **Consumption and dispensing records** for fuel, oil, or similar products used by publicly owned vehicles or equipment:
RETENTION: 6 years

◆ 17.[254] **Request for services or supplies**, including stockroom supplies, forms and publications, duplication, or use of any vehicle or equipment

- a. When a chargeback or fee is involved:
RETENTION: 6 years
- b. When **no** chargeback or fee is involved:
RETENTION: 0 after no longer needed

18.[255] **Federal Communications Commission (F.C.C.) private radio licensing records**

- a. Original application and other related records not created for renewal applications:
RETENTION: 5 years after **final** termination of license or denial of application
- b. Renewal application and related records, including copy of license:
RETENTION: 5 years after renewal or termination of license or denial of application

- c. Request for frequency data research:
RETENTION: 1 year
- d. Listing of locations of radios using local government private radio frequency:
RETENTION: 0 after superseded or obsolete

◆ 19.[256] **Petroleum bulk storage records**

- a. Registration, including application and related records:
RETENTION: 7 years after expiration or termination of registration or denial of application
- b. Monthly and ten-year mandatory inspection reports:
RETENTION: 10 years
- c. Daily and other periodic inspection reports:
RETENTION: 1 year
- d. Test certification for underground storage tank:
RETENTION: 7 years
- e. Site assessment and related records, required when an underground storage tank is abandoned:
RETENTION: **PERMANENT**
- f. Records relating to leakage and spillage:
RETENTION: **PERMANENT**
- g. Inventory monitoring records:
RETENTION: 5 years

◆ 20.[483] **Aquatic weed harvesting and/or control records** (covers harvesting by mechanical or manual means or control by use of herbicides):
RETENTION: 3 years

◆ 21.[86] **Asbestos management plans** required pursuant to the federal Asbestos Hazard Emergency Response Act and 40CFR Part 763, Subpart E, including plans required for each school listing all buildings leased, owned or otherwise used as a school building and whether they contain asbestos, dates of asbestos inspections, reinspections and surveillances, copies of analyses, descriptions of responses or preventive measures taken, and related records, including equivalent records previously created under the New York State School Asbestos Safety Act (Article

9-A, Education Law):

RETENTION: 3 years after next required reinspection or equivalent period after all asbestos-containing building material has been removed from a homogenous area

NOTE: Records of building projects involving asbestos are covered by item no. 87, below.

- ◆22.[87] **Building rehabilitation and reconstruction project files** when asbestos is installed, removed, encapsulated, applied, distributed or otherwise involved:
RETENTION: 30 years
- 23.[323] **Lead or copper content testing and remediation files** covering lead or copper content in drinking water of public facilities
- a. Water sample test results and related records, when lead or copper level exceeds the action level as defined in Section 5-1.41, *State Sanitary Code*:
RETENTION: 50 years
 - b. Water sample test results and related records, when lead or copper level **does not** exceed the action level as defined in Section 5-1.41, *State Sanitary Code*:
RETENTION: 10 years
 - c. Records of remediation by replacement of lead or copper plumbing:
RETENTION: 6 years after building no longer exists
 - d. Records of remediation by elimination or replacement of water cooler not connected to plumbing:
RETENTION: 6 years after cooler eliminated or replaced
- 24.[353] **Pesticide (including herbicide, rodenticide and disinfectant) application record** (showing kind and quantity used, dosage rate, method of application, target organism, area and time of application):
RETENTION: 3 years
- NOTE:** Records of incidents of possible exposure to pesticides (including herbicides, rodenticides and disinfectants), and other records created because pesticides are considered "toxic substances," are covered by item no. 214 in the Personnel/Civil Service section.
- ◆25.[484] **School pesticide neighbor notification records** prepared and maintained pursuant to 8NYCRR Section 155.24, including annual, summer school, emergency, forty-eight hour and other notifications, lists of persons receiving notifications, summary

- reports on pesticide applications, and related records:
RETENTION: 3 years
- 26.[354] **Inventory of pesticides** (including herbicides, rodenticides and disinfectants) maintained by local government:
RETENTION: 40 years after superseded or obsolete
- 27.[355] **Annual report of pesticides** (including herbicides, rodenticides and disinfectants) used, submitted to New York State Department of Environmental Conservation:
RETENTION: 2 years
- 28.[356] **Application for business/agency pesticide registration**, including all related records:
RETENTION: 1 year after superseded or invalid
- 29.[357] **Records relating to certification for individual certified commercial applicator**, including copy of application, records of training in use of pesticides, examination results, copy of certificate and recertification records:
RETENTION: 6 years
- 30.[358] **Permits and approvals** from state or county health department to operate pool or beach:
RETENTION: 3 years after denial or expiration
- 31.[359] **Reports of pool or beach operation and inspection:**
RETENTION: 21 years
- ◆ 32.[92] **Laboratory examination test results for pool**
- a. Routine analysis (i.e., indicating water is within accepted standards) of water at pool:
RETENTION: 1 year
- b. Non-routine analysis (i.e., indicating water is not within accepted standards) of water at pool:
RETENTION: 3 years
- 33.[360] **Facility inmate work crew records**, covering crews from state or county correctional facilities performing work outside the facilities for local government or not-for-profit organization, including but not limited to request for work crew and site visit report:
RETENTION: 2 years
- ◆ 34.[361] **Self-evaluation records**, required under Americans with Disabilities Act (ADA),

Rehabilitation Act of 1973 as amended, or similar state/federal laws, regulations or requirements

- a. Voluntary compliance plan for facility, including list of persons consulted, description of areas examined, transition plan, list of problems identified and description of modifications anticipated and made:

RETENTION: PERMANENT

- b. Copies of work orders, progress notes and other supporting documentation:

RETENTION: 1 year after modifications completed

- ◆35.[362] **Inspection reports, reviews and audits** (internal and external) created relative to the Americans with Disabilities Act (ADA), Rehabilitation Act of 1973 as amended, or similar state/federal laws, regulations or requirements:

RETENTION: 6 years after building or facility involved is no longer in use

- ◆36.[363] **Individual case records**, filed under the provisions of the Americans with Disabilities Act (ADA), Rehabilitation Act of 1973 as amended, or similar state/federal laws, regulations or requirements, including but not limited to complaint, charge or request for reasonable accommodation, medical reports, responses, records of appeals, correspondence and internal memoranda, records documenting work done in response to complaint or request, and documentation of final resolution

- a. When complaint or request is filed by officer or employee of the local government involved:

RETENTION: 3 years after resolution of case and termination of any reasonable accommodation provided

- b. When complaint or request is filed by person **other than** officer or employee of the local government involved:

RETENTION: 3 years after date of final entry in record, but not less than 3 years after person involved attains age 18

- ◆37.[364] **Master summary record of all cases** under the Americans with Disabilities Act (ADA), Rehabilitation Act of 1973 as amended, or similar state/federal laws, regulations or requirements:

RETENTION: PERMANENT

- ◆38.[485] **Records relating to protection of underground facilities**, including copies of notice of or request for excavation, received by local government from excavator, pursuant to 16 NYCRR, Section 753-5.2, including notice of postponement or cancellation and notice of discovery of unknown facility:

RETENTION: 4 years

- ◆39.[486] **Records filed by contractor or sub-contractor with local government related to public works project**, pursuant to Section 220 (3-a), Labor Law, including but not limited to copy or abstract of payroll, classification of workers employed on a project, and statement of work to be performed by each classification:
RETENTION: 3 years after contract completion
- ◆40.[487] **Water supply system records**, covering water supply system (such as private well) maintained by local government for its own use
- a. Permits and approvals necessary to establish or operate system, including supporting data and other related records:
RETENTION: PERMANENT
 - b. Original entry and intermediary charts, graphs and other data collected relating to water usage, water levels and water quality:
RETENTION: 10 years
 - c. Reports and related data collection and other summary records showing long-term trends and developments:
RETENTION: PERMANENT
 - d. Reports and related records **not** showing long-term trends and developments:
RETENTION: 10 years
 - e. Reports and test results on unsatisfactory water supply samples:
RETENTION: 20 years
 - f. Log recording summary information collected at periodic intervals such as changes in pressure and level, proportion of chemicals present, operational changes and problems:
RETENTION: PERMANENT
 - g. Log recording all or routine information such as changes in pressure and level, proportion of chemicals present, operational changes and problems:
RETENTION: 5 years
- NOTE:** If no logs containing summary information are generated, local governments may wish to retain all or some records covered by part "g" of this item longer, for both long-term administrative use and for potential research purposes.
- ◆41.[85] **Energy consumption monitoring records** showing use of electricity or fuel,

operation of heating and/or cooling equipment, or environmental conditions (temperature, humidity, air quality) in various parts of publicly owned or operated building or other facility

- a. Detailed data collected from sensors or monitors, and detailed reports generated from such data:

RETENTION: 0 after no longer needed

NOTE: Some of this data and these detailed reports may need to be retained for 6 years for energy consumption trending analysis or energy consumption audit purposes. The State Archives recommends that local governments consult the Office of the State Comptroller or their own auditor to determine which data may have long-term value.

- b. Equipment maintenance, testing and service records, **except** detailed records of routine activities:

RETENTION: 6 years after equipment no longer in use

- c. Detailed records of routine maintenance, testing and service:

RETENTION: 6 years

- d. Reports relating to energy consumption and environmental conditions, including reports of problems and corrective actions taken, summary reports of environmental conditions, and reports showing long-term energy consumption trends, along with accompanying charts, graphs and data tables:

RETENTION: 6 years

NOTE: Appraise these records for historical or other long-term significance prior to disposition. Records showing long-term trends in energy use may need to be retained permanently, or at least 6 years after the building or other facility is no longer in use. Contact the State Archives for additional advice.

◆42.[488] **Records relating to mine owned or operated by local government**

NOTE: The annual training plan for employees who work at a mine is covered by item no. 24 in the General section. Accident and personal injury reports are covered by item no. 474 in the Personnel/Civil Service section, Personnel subsection. The rescue plan is covered by item no. 62 in the School Safety section. Training certification records for each employee working at a mine are covered by item no. 203 in the Personnel/Civil Service section, Personnel subsection.

- a. Plans, maps and environmental impact statements generated as part of

application process to obtain permit from New York State Department of Environmental Conservation to operate mine, or to obtain permit renewal:

RETENTION: PERMANENT

- b. Other records generated as part of application process to obtain permit from New York State Department of Environmental Conservation to operate mine, or to obtain permit renewal, including but not limited to original and renewal application, actual permit, reports and correspondence:
RETENTION: 3 years after mine closed and land reclaimed
- c. Mine registration with the United States Department of Labor, Mine Safety and Health Administration (MSHA) known as "Legal Identity Report":
RETENTION: 3 years after mine closed and land reclaimed
- d. Listing of employment, accident and injury data, submitted annually by MSHA to local government:
RETENTION: 5 years
- e. Quarterly mine employment and coal production report, submitted to MSHA, as required by *30 CFR*, Section 50.30:
RETENTION: 5 years
- f. Basic information on employees working at mine, known as "population survey," submitted to MSHA, as required by *30 CFR*, Section 45.4:
RETENTION: 0 after no persons listed on report still work at mine

◆43.[91] **Hazardous waste generation records**

- a. Individual load delivery and other detailed records, including manifest form:
RETENTION: 3 years after waste accepted by transporter
- b. Annual and exception reports:
RETENTION: 3 years after due date of report
- c. Test results and waste analyses:
RETENTION: 3 years after date waste was removed

◆44.[489] **Comprehensive long-range plan for educational facilities and five-year capital facilities plan created under 8 NYCRR Section 155.1, or equivalents, and related records**

- a. Final copy of plan:
RETENTION: PERMANENT

- b. Background materials and supporting documentation, including plan development records:
RETENTION: 10 years

◆45.[490] **School facility report card**, prepared for each occupied school building:
RETENTION: PERMANENT

SCHOOL SAFETY

◆1.[62] **Disaster preparedness or crisis relocation records**

NOTE: See item no. 491, below, for district-wide and school safety plans.

- a. Copies of plans held by local government, including supporting maps, when official copies prepared under Section 23, Executive Law, are maintained by county or other local government which created them, along with other disaster preparedness plans, not prepared under Section 23, Executive Law, intended for specific buildings or for use by specific local government units:
RETENTION: 3 years after superseded
- b. Background materials and supporting documentation used in preparation of plans:
RETENTION: 3 years

◆2.[66] **Rescue and disaster response reports** and related records, including responses to threats or hazards to the public, school facilities or vehicles due to natural, technological, or human-made circumstances and/or the discovery of possible explosives, pathogens or other hazardous substances, covering specific incidents

- a. Records of major disasters, including information on the response of all agencies to the disaster, including such records as photographs, press clippings, property damage reports, records of emergency response, summary reports of personal injuries, records relating to demolition and new construction, and correspondence:
RETENTION: **PERMANENT**
- b. Records of other than “major” disasters:
RETENTION: 3 years, but not until 3 years after any minor involved attains age 18

NOTE: Specific records should be appraised for historical value and may warrant permanent retention based on the serious nature of the incident involved. These would include actual discovery of explosives, pathogens or hazardous materials, and major facility evacuations and quarantines. Contact the State Archives for additional advice in this area.

◆3.[491] **District-wide and school safety plan records**, including school safety, emergency management and emergency response plans

- a. Final approved copies of plans, along with all revisions and amendments:
RETENTION: PERMANENT
- b. Plan development, adoption and related records, including records of school safety teams:
RETENTION: 6 years

◆4.[492] **School violence and dangerous school records**

NOTE: Requests for transfer and related records of individual students are covered by item no. 275b in the Student Records section, Academic Records subsection.

- a. Violent and disruptive incident reports and summary records, including copies of summary information submitted to the State Education Department (SED):
RETENTION: 0 after youngest person involved attains age 27

NOTE: Summary records may need to be retained longer, even permanently, if they document school violence, or if a school has been designated a persistently dangerous school. Contact the State Archives for additional advice.

- b. Violent and disruptive incident data received back from SED:
RETENTION: 0 after data verified and any necessary corrections completed
- c. Persistently dangerous school designation records, including SED citation, plan for corrective action, results of audits and monitoring, student transfer protocol and lists of transferring students, and documentation of removal of designation:
RETENTION: PERMANENT

◆5.[140] **Child abuse or maltreatment reports and related records:**
RETENTION: 3 years

NOTE: This item covers child abuse and maltreatment reports and related records retained by schools and other agencies reporting suspected abuse and maltreatment to the State Central Register or to child protective services units of county social services departments. It also covers reports and related records of allegations of child abuse by an employee or volunteer in an educational setting made or received by schools and districts. For personnel-related records of allegations of child abuse against employees and volunteers in an educational setting, see item no. 199c in the Personnel/Civil Service section, Personnel subsection.

- ◆6.[493] **Sexual molestation and sexual harassment records**, maintained separately from student health records or employee personnel records, and **not** including child abuse or maltreatment reports, covered by item no. 140, above:
RETENTION: 0 after youngest person involved attains age 27
- ◆7.[244] **Building or facility security records**, including but not limited to visitor's register and watchman's or automated security system or false alarm reports:
RETENTION: 3 years
- ◆8.[352] **Videotape or other recording maintained for security purposes**
- a. Videotape or other recording containing incident warranting retention for administrative or potential legal uses:
RETENTION: 3 years, but not until any minor has attained age 21
- b. Videotape or other recording **not** containing incident warranting retention for administrative or potential legal uses:
RETENTION: 0 after no longer needed
- ◆9.[246] **Fire and building condition records**, including but not limited to fire safety inspection reports, fire drill reports, fire alarm records, fire inspection reports, fire investigation reports, structural safety inspection reports, building condition surveys and visual inspection reports
- a. Fire safety inspection reports prepared pursuant to Section 807-a, Education Law:
RETENTION: 3 years
- NOTE:** Although Section 807-a of Education Law authorizes school authorities to destroy these reports after 3 years, the State Archives strongly urges that school authorities holding the "official" or "record" copies of these reports retain these records for 21 years to meet possible legal needs, including for use in personal injury litigation involving minors.
- b. Structural safety inspection reports and building condition surveys, required by Section 409-d, Education Law and 8NYCRR 155.4:
RETENTION: 21 years
- c. Visual inspection reports, required by 8NYCRR 155.4:
RETENTION: 5 years
- d. Records **other than** reports and surveys covered by parts "a," "b" and "c," above:

RETENTION: 3 years

- ◆ 10.[35] **Emergency medical training records** including defibrillator training, covering local government employees and students who receive training

NOTE: This item covers records of emergency medical training received by school personnel and students. For records of emergency medical training courses for which schools, BOCES or other ED-1 users are course sponsors, see item no. 458 in the Instruction section.

- a. Training and certification applications and lists of persons who have taken or need to take training:

RETENTION: 0 after superseded or obsolete

- b. Original entry training records, when posted to summary record:

RETENTION: 1 year

- c. Original entry training records, when **not** posted to summary record:

RETENTION: 7 years

- d. Summary record of training:

RETENTION: 6 years after individual leaves service or student graduates or would normally have graduated from high school, but no less than 7 years

NOTE: Local officials may wish to keep these records longer, possibly for the career of the individual, if the records are consulted throughout that period.

- e. Course materials, except final or annual reports:

RETENTION: 7 years after course completed

SPECIAL EDUCATION

INDIVIDUAL STUDENT RECORDS

NOTE: Section 300.573(b) of 34 *CFR* requires school districts and BOCES to destroy, at the parent's request pursuant to Section 300.573(a), "personally identifiable information" contained in these records, when this information "is no longer needed to provide educational services to the child." However, pursuant to Section 300.573(b), "a permanent record of the student's name, address and phone number, his or her grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation." (See item no. 366, below, and item no. 275, in the Student Records section of this Schedule.) Such destruction may occur before the legal minimum retention period stated above has arrived, **if it is conducted strictly according to the procedures outlined in federal regulations and guidelines provided by the federal Department of Education and the New York State Education Department's Office for Special Education Services.**

School districts and BOCES should carefully determine what educational needs warrant retention of any records which parents might request be destroyed. In informing parents of their rights, school districts and BOCES may also wish to remind parents that certain records with personally identifiable information may be useful in the future to the parents or children for other purposes, such as for social security benefits or to qualify for future services from the New York State Office of Mental Retardation and Developmental Disabilities. To protect the school district or BOCES in the case of a future request for records destroyed at parental request, school officials should consider maintaining a record of any such destruction done at parental request with remaining records in the applicable set of records. For additional information, contact the State Education Department, Office of Vocational and Educational Services for Individuals with Disabilities (VESID), Special Educational Policy and Quality Assurance.

◆ 1.[267] **Special education file** of student (including both school-age students and pre-school children) with a disability

a. Student information sheet, most recent year's IEP (Individualized Education Program), evaluation record, and summary record (if created):

RETENTION: 6 years after student graduates/would normally have graduated from high school or 6 years after student attains age 21, whichever is shorter

NOTE: These records may be needed more than 6 years beyond the student's graduation or 21st birthday to verify previous disability, especially in connection with applications by former students for social security or other benefits. At the same time, unnecessarily long retention of these records may jeopardize the personal privacy safeguards contained in Section

300 of Title 34 of the *Code of Federal Regulations*. School districts and BOCES should weigh these concerns carefully and consult their attorney or counsel before establishing policy concerning retention of these records beyond their legal minimum retention periods.

- b. Other special education records including but not limited to attendance record, copy of high school transcript or student progress reports, referral form, individual evaluations, and health record, IEP's (**except** most recent), parent communication, agency communication, and attendance/staff reports, behavior/staff changes records, test papers, psychologists' notes and "protocols," **regardless** of whether or not student is declassified from special education:

RETENTION: 6 years

- c. Federal Medical Assistance records for Special Education and Case Management Services, including but not limited to all documentation, logs, surveys, reports, remittance statements and memoranda of advisements pursuant to the School Supportive Health Services Program (SSHSP) and the Preschool Supportive Health Services Program (PSHSP):

RETENTION: 6 years after date of payment to school district or BOCES

- ◆2.[365] **Records of special education "committee minutes,"** where needs of various students and their progress and problems are discussed, when significant information is transferred or posted to individual student special education records:
RETENTION: 6 years

NOTE: If significant information is **not** transferred or posted to the special education file for each individual student, then these records must be retained for 6 years after student graduates/would normally have graduated from high school or 6 years after student attains age 21, whichever is shorter, as per item no. 267a, above.

- 3.[271] **Referral service records of preschool student with a disability,** including but not limited to intake information record, record of referral for services, follow-up review record, and correspondence:

RETENTION: 6 years

- ◆4.[366] **Basic record listing special education student's name, address, phone number, grades, attendance record, classes attended, grade level completed, and year completed,** created pursuant to Section 300.573(b) of *34 CFR*:

RETENTION: 6 years after student graduates/would normally have graduated from high school or 6 years after student attains age 21, whichever is shorter

NOTE: This item covers the “basic record” for special education students which some schools maintain separate from the student’s “permanent record card” (see item no. 275 in the Student Records section of this Schedule). If information from this separate “basic record” is included in the student's "permanent record card", which must be retained permanently, then the retention period for this record is 0 after no longer needed. If the student's "permanent record card" does not, however, contain any reference to specific education status, then school districts and BOCES should consider retaining this record permanently. Federal regulations permit the maintenance of a "permanent record" containing this information "without time limitation." Schools which maintain a single “permanent record” for all students, including special education students, should use item no. 275, from the Student Records section, to authorize records disposition.

- 5.[367] **Basic data on any student contained in an automated special education records system**, including name, age, sex, personal identification (social security number or other number used to identify student), address, grade and/or class, type of disability, referral date, date service initiated, date of declassification, and level of service:

RETENTION: 0 after no longer needed

NOTE: School districts and BOCES should consider permanent retention of the basic data elements of these special education records systems on an annual or bi-annual basis, such as at the beginning and/or end of the school year. This information may be useful for long-range planning purposes, such as projecting trends in special education needs and services. Contact the State Archives for additional advice in this area.

- 6.[376] **Documentation of regular updates made to basic data contained in special education data file**, such as covering corrections, deletions or additions to data:

RETENTION: 1 year

FINANCIAL TRACKING AND REPORTING

- 1.[268] **State agency notification to school district identifying student with a disability placed in residential facility**, (State Education Department STAC [System for Tracking and Accounting for Children] 200 or 201 Form or equivalent) prepared by state agency other than State Education Department:

RETENTION: 6 years after notice superseded, or student attains age 21, whichever is shorter

- 2.[269] **Commissioner of Education approval for providing and funding special**

education services, (State Education Department STAC [System for Tracking and Accounting for Children] 3 Form or equivalent), identifying child, services provider, and type, duration and cost of services:

RETENTION: 6 years

- 3.[270] **Federal assistance records for special education**, including but not limited to application, advisement, eligible student survey form, reports, statement of payment and memorandum of instruction:

RETENTION: 6 years

PROGRAM ADMINISTRATION

- 1.[368] **Plans prepared in relation to providing special education services**

a. School district annual or biennial plan outlining special program and education services, required by Section 200.2(c) of 8NYCRR:

RETENTION: PERMANENT

b. Special education space requirement plan developed by BOCES, including related correspondence and any amendments:

RETENTION: 6 years after superseded

- 2.[369] **Reports relating to special education program** (not covered by other items in this Schedule)

a. Summary reports of student data:

RETENTION: 6 years

b. Annual and other reports covering the evaluation, referral, placement and review processes, and IEP (Individualized Education Program) development:

RETENTION: 6 years

- 3.[370] **Waivers permitting a school district or BOCES to implement an innovative special education program**, along with applications, correspondence, reports and all related records

a. Waiver granted on an annual basis:

RETENTION: 6 years

b. Waiver granted on a permanent basis:

RETENTION: 6 years after expiration

- c. Annual or other reports submitted to New York State Education Department (SED) regarding operation and evaluation of the program:
RETENTION: 6 years

- 4.[371] **Records of special education program monitoring by New York State Education Department (SED)**, including but not limited to monitoring report, response and records of any resulting action taken:
RETENTION: 6 years after date of most recent entry in record, or until the next program review is completed, whichever is later

MISCELLANEOUS

- 1.[372] **Census and register of students with disabilities** residing in school district, eligible to attend school or pre-school special education program:
RETENTION: 6 years

NOTE: This item does **not** cover the school census listing all persons of school age residing in the district which is covered by item no. 43, found in the Student Records section, Student Information Systems and Related Records subsection. If the general school census and the census and register of students with disabilities are one and the same record, follow the instructions given under item no. 43.

- 2.[373] **Lists maintained in relation to providing special education services**, including but not limited to list of names and resumes of impartial hearing officers, list of free or low-cost legal and other relevant services, list of public and private agencies and other professional resources where independent evaluations may be obtained, list of potential surrogate parents, and list of preschool programs:
RETENTION: 6 years

NOTE: This does **not** cover the register, census or list of students with disabilities, which is covered by item no. 372, above.

- 3.[374] **Requests for access to special education records**

- a. Requests for access by parents and authorized employees:
RETENTION: 1 year
- b. All other requests, maintained pursuant to Section 300.563 of 34 *CFR*, including name of party requesting access, date access denied or granted, and purpose for which access is requested:
RETENTION: 5 years

- 4.[375] **Records of special education testing of students**, where students are **not** classified as requiring special education
- a. Lists of students tested but not classified:
 RETENTION: 6 years

 - b. Records relating to individual student not classified, including but not limited to referral, results of testing and evaluation report:
 RETENTION: 0 after student attains age 21, but not less than 6 years

STUDENT RECORDS

ACADEMIC RECORDS

- ◆ 1.[275] **Student cumulative education record file (including "permanent record card")**
- a. Cumulative achievement record equivalent (sometimes known as "Permanent Record Card") for elementary and secondary school including but not limited to information on school entry, withdrawal and graduation, and on subjects taken and grades received from examinations:
RETENTION: PERMANENT
 - b. Other student records, including but not limited to registration record; screening evaluation reports; remedial program participation record; Section 504 evaluations, accommodation plans and related records; counselor notes; teacher comments; correspondence; and transfer or discharge notice:
RETENTION: 6 years after student graduates or would normally have graduated from high school
 - c. Examination (including Regents examination) test results, papers and answer sheets, and duplicate copies of report cards when information regarding subjects taken and final grades received is posted to the pupil's cumulative achievement record:
RETENTION: 1 year after end of school year
 - d. Program admission application, when application is approved:
RETENTION: 6 years or student participation in program terminates, whichever is later
 - e. Program admission application, when application is not approved or student does not enroll in program:
RETENTION: 3 years
 - f. Cumulative achievement record maintained by BOCES, including information on credits, grades, attendance, instructors' comments and employability profile:
RETENTION: PERMANENT
 - g. Other student records maintained by BOCES, including annual and periodic progress reports, from which information is posted to cumulative achievement record:

RETENTION: 6 years after student graduates or would normally have graduated from high school

- h. School district's copy of BOCES cumulative achievement and other BOCES student records:

RETENTION: 6 years after student graduates or would normally have graduated from high school

- i. Copies or abstracts of student records, sent by student's high school to elementary, middle and/or junior high school which student had attended, and which district does **not** operate a high school itself:

RETENTION: 0 after no longer needed

2.[281] **Student records covering non-district students, and students attending high school equivalency, alternative learning and adult education courses**

NOTE: This does **not** cover non-resident full-time students paying tuition. Their records are covered by item no. 275. This item does cover records of students who pay tuition and reside in another district, but take occasional courses in the district where these records are maintained.

- a. Student records, including but not limited to parental consent, approval from student's school district, program participation application, summary of participant achievements and attendance, record of courses taken including grades and examination results, **but excluding** examination test papers and answer sheets:

RETENTION: 0 after student attains age 24, but not less than 6 years

- b. Examination test papers and answer sheets:

RETENTION: 1 year

◆3.[377] **Student portfolio**, containing samples of a student's best work, and including progress reports and grades (where applicable):

RETENTION: 6 years after student graduates or would normally have graduated from high school

NOTE: The student and teacher may weed out and dispose of individual student papers in the portfolio at the end of each school year, providing samples of the student's best work are retained as specified above.

4.[276] **Certificate of Regents high school and college entrance diplomas issued**

- a. If posted to cumulative achievement record:

RETENTION: 0 after posting

b. If **not** posted to cumulative achievement record:

RETENTION: **PERMANENT**

5.[277] **Examination records**, relating to Regents preliminary and literacy examinations, created prior to 1970:

RETENTION: 0 after no longer needed

STUDENT INFORMATION SYSTEMS AND RELATED RECORDS

NOTE: Many school districts and BOCES maintain data on students in automated systems, known generically as "Student Information Systems." These systems usually contain certain basic or core data on each student. The basic data elements usually consist of the name, age, sex, personal identification (social security number or other number used to identify student), address, grade and/or class of each student. This information may be kept in electronic format or in paper printout lists or microform output. If it is kept in electronic format, it need not be maintained on-line, but may be stored on tape or diskette if desired.

Student information systems typically include school census data, in fact some systems are based on a single record covering the entire family rather than an individual student. The retention periods for census information on the family of a student is covered by item no. 43, below.

Student information systems also typically contain summary academic/grade and attendance information. They may also contain detailed grade and attendance data. Retention of academic/grade and attendance information is specified in the Academic Records and Attendance Records subsections.

Student information systems often contain information in other areas, such as student health, special education, discipline, class and bus scheduling, awards and honors, and athletics. These records are covered by items at various locations throughout *Schedule ED-1*. These items and retention periods apply to these records, regardless if they are contained in or generated by a student information system.

1.[378] **Basic data on any student contained in or produced by an automated student information system**, including name, age, sex, personal identification (social security number or other number used to identify student), address, grade and/or class:

RETENTION: 0 after no longer needed

NOTE: School districts and BOCES should consider permanent retention of the basic data elements of these student information systems on an annual or bi-annual basis,

such as at the beginning and/or end of the school year. This information may be useful for long-range planning purposes, teaching with historical records projects, and community history research. Contact the State Archives for additional advice.

2.[379] **Lists of students** created prior to or in lieu of the maintenance of student data in automated student information systems, containing such information as student's age, sex, personal identification (social security number or other number used to identify student), address, grade and/or class, and sometimes ethnicity, summary grade, attendance and department information

a. All lists created prior to 1910:
RETENTION: PERMANENT

b. Lists created since 1910:
RETENTION: 0 after no longer needed

NOTE: School districts and BOCES should consider permanent retention of these lists on an annual or bi-annual basis, such as at the beginning and/or end of the school year. This information may be useful for long-range planning purposes, teaching with historical records projects, and community history research. Contact the State Archives for additional advice in these areas.

3.[380] **Documentation of regular updates made to student lists or student data file**, such as covering corrections, deletions or additions to student data:

RETENTION: 1 year

4.[43] **School census records**

NOTE: The Census and Register of Students With Disabilities is covered by item no. 372, found in the Special Education section of the Schedule. If the (general) school census, covered by this item, and the Census and Register of Students with Disabilities are one and the same record, this item covers its retention.

a. All school census records created prior to 1949 (some early 19th century census records only list names of parents) including so-called "attendance registers" used between 1895 and 1928, in booklet form provided by the State Office of Public Instruction, later the State Education Department (these booklets also contain the school census, trustees' annual reports, registers of visitors, and other information); and school census and enrollment reports, created between 1929 and circa 1949, in booklets provided by the State Education Department, or their equivalents:

RETENTION: PERMANENT

- b. Post-1949 school census records, maintained in updateable card-file format:
RETENTION: 6 years after information it contains becomes obsolete

NOTE: While not required to do so, school districts and BOCES may wish to retain some school census records maintained in this format permanently for local and family history research and teaching with historical records projects. Contact the State Archives if you would like additional information on this subject, or to discuss your district's census records in detail.

- c. Post-1949 school census records, maintained in list, booklet, computer printout or electronic format:
RETENTION: Retain one complete census permanently for every 5 year interval; retain others for 6 years

- ◆5.[272] **Pupil personnel cumulative record (guidance folder)**, containing information on all aspects of student's school career:
RETENTION: 6 years after student graduates or would have normally graduated from high school

ATTENDANCE RECORDS

- ◆1.[44] **Student's attendance record (register)**, including but not limited to each student's name, date of birth, names of parents or guardian, address, and daily attendance, absence and tardiness

- a. All attendance records created prior to 1928, including "attendance registers" used between 1895 and 1928, in booklet form provided by the State Office of Public Instruction, later State Education Department (these booklets also contain the school census, trustees' annual reports, registers of visitors, and other information):
RETENTION: PERMANENT
- b. "Attendance registers" used from 1929 to the present, in form provided or approved by the State Education Department:
RETENTION: 6 years

NOTE: If annual or bi-annual lists of students are **not** available for certain school years, school districts and BOCES may wish (but are not required) to retain post-1929 attendance registers for those years in their place to provide students' names. If separate student lists are available, school

districts and BOCES may wish to retain examples of the detailed post-1929 attendance registers for use in historical research or in teaching with historical records projects. Contact the State Archives for additional advice in this area.

- c. Detailed attendance data contained in electronic format in student information systems, or maintained as system output:
RETENTION: 6 years

- 2.[45] **Student's attendance exemption record**, including but not limited to request for and certificate specifying reason for and duration of exemption:
RETENTION: 0 after student attains age 21

- 3.[46] **Student's absence record**, including but not limited to parent's excuse, investigation report, and record of attendance at religious observance or education:
RETENTION: 1 year after end of school year

- ◆4.[49] **Attendance reports and other summary attendance records, not** containing detailed information on individual absences

- a. Annual or bi-annual attendance report:
RETENTION: 6 years

NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently.

NOTE: Annual reports containing attendance information submitted to the State Education Department for State aid reimbursement purposes are covered by item no. 148 in the Administration section.

- b. Periodic reports and other records used to complete annual or bi-annual report:
RETENTION: 1 year

EXTRA-CURRICULAR ACTIVITIES

- ◆1.[93] **Student organization records**

- a. Lists of members or participants, records of activities, competitions and performances, and other records of officially-supported student organizations **except** scouting records and scouting and training videotapes:
RETENTION: 6 years

NOTE: Appraise these records for historical significance prior to disposition. Photographs and videotapes of and programs for certain competitions and performances may have historical value in documenting student activities. Records with historical value should be retained permanently.

NOTE: Parental consents are covered by item no. 47, below. Health related records are found in the Health section of this Schedule.

- b. Scouting reports and videotapes used for scouting and training purposes:
RETENTION: 0 after no longer needed

2.[94] **Athletic program records**

- a. Lists of athletes or participants, records of interscholastic competitions and intramural athletics, and other records **except** scouting records and scouting and training videotapes:
RETENTION: 6 years

NOTE: Appraise these records for historical significance prior to disposition. Official score and record books, team and action photographs and videotapes of and programs for interscholastic competitions may have historical value in documenting interscholastic student athletics. Records with historical value should be retained permanently.

NOTE: Parental consents are covered by item no. 47, below. Health related records are found in the Health section of this Schedule.

- b. Scouting reports and videotapes used for scouting and training purposes:
RETENTION: 0 after no longer needed

3.[381] **Fund raising records** generated by student organizations, athletic teams and "booster clubs" to help support extra-curricular activities:
RETENTION: 6 years

◆4.[280] **Extra-curricular activity selection and evaluation records**, including applications, nominations, qualifications, evaluations, ratings, voting records, records of appeals of selection or evaluation decisions, lists of students or student materials selected or not selected, and related records concerning the selection or evaluation of students or student materials for participation or inclusion in activities such as athletic teams, the National Honor Society, the National Junior Honor Society, school plays, school art shows, school newspapers or literary magazines, and other activities:
RETENTION: 6 months after end of selection or evaluation process or 6

months after final resolution of any appeal of a selection or evaluation decision, whichever is later

MISCELLANEOUS

- ◆1.[274] **Student employment certificate record (“working papers”)**, including but not limited to application, evidence of age, parent's consent, physical fitness certificate, and employment certificate or rejection of application:
RETENTION: 0 after student attains age 21
- ◆2.[278] **Student disciplinary records**, including but not limited to detention notice, suspension notice, suspension hearing record, correspondence, and related records
- a. Records of major disciplinary actions, including suspensions:
RETENTION: 3 years after end of school year, but no less than 3 years after student attains age 18
- b. Records of minor disciplinary actions:
RETENTION: 3 years after end of school year
- NOTE:** School districts and BOCES may wish to retain all or select records of minor disciplinary actions for a lengthier period, especially in situations where the records may be needed for use in litigation alleging that a student was improperly disciplined due to an unrecognized learning disability. Such litigation could potentially commence up to the time when the student attains age 21.
- 3.[279] **Scholarship program records**, (covering academic, athletic or other scholarships) including but not limited to scholarship applications, list of eligible candidates, list of competition winners and alternates, and reports:
RETENTION: 1 year after scholarships awarded
- 4.[282] **Records of gifts and prizes awarded students:**
RETENTION: 3 years
- 5.[47] **Parent's consent** for student to participate in, or request for student to be excused from, specific activity, including but not limited to physical education program, field trip, or athletic program:
RETENTION: 1 year after end of school year
- ◆6.[382] **Missing child notification and related records**, received from State Division of Criminal Justice Services

- a. Notification of missing child and need to "flag" student record, and subsequent notification to remove "flag" from record, when missing child is located:
RETENTION: 0 after receiving notification that child is no longer missing

- b. Notification of missing child and need to "flag" student record, when child is **not** reported as having been located:
RETENTION: 6 years after student graduates or would normally have graduated from high school

- c. Letter of notification, and letter of correction, when child reported missing is identified as **not** having been a student at school district receiving notification:
RETENTION: 1 year

SUPPLEMENTAL EDUCATION SERVICES

NOTE: This section covers Compensatory Education, Academic Intervention Services (AIS), Language Proficiency, and equivalent supplemental education programs.

- ◆1.[315] **Supplemental education records for individual student**, including but not limited to letters of notification to parent(s) or guardian(s), copies of individual test results, parental or guardian consent (if applicable), student's personalized plan, student final and other progress reports, **but not including** individual student progress log:
RETENTION: 6 years

NOTE: For records of supplemental education services included in an individual student's cumulative education file, see item no. 275 in the Student Records section.

- 2.[316] **Individual student progress log:**
RETENTION: 1 year

- ◆3.[317] **Lists of students enrolled in supplemental education programs**

- a. Master list of students, created annually or for each class:
RETENTION: 20 years
- b. Other lists of students, created for internal administrative purposes:
RETENTION: 0 after no longer needed

- ◆4.[318] **Application to the State Education Department to conduct supplemental education program**, including district plan and related records

- a. District plan for conducting program:
RETENTION: **PERMANENT**
- b. Other related records, including plan development and submission records, background material and supporting documentation:
RETENTION: 6 years after program ends

- 5.[319] **Records of program monitoring by the State Education Department**, including but not limited to notification of visit, monitoring report, response and records of any resulting action taken:
RETENTION: 6 years after date of most recent entry in record

- 6.[320] **Payroll breakdown and other background documentation of program,**

providing information such as details of program time spent by individual staff members:

RETENTION: 6 years

◆7.[321] **Supplemental education testing records covering tests conducted under Local Education Agency Programs (LEAP) or equivalent programs, used to determine eligibility for supplemental education programs, submitted to New York State Education Department**

a. Data maintained by school district:

RETENTION: 5 years

b. Duplicate school district data maintained by BOCES:

RETENTION: 0 after no longer needed

c. Testing eligibility determination and testing protocols, official copies of tests, and summary records describing testing programs:

RETENTION: PERMANENT

d. Summary records of test results:

RETENTION: 6 years

e. Test papers, answer sheets, test administration notes, test schedules and other routine test administration records:

RETENTION: 1 year after end of school year

◆8.[494] **Records of supplemental education testing of students, where students are NOT determined to need supplemental education**

a. Lists of students tested but not entered in supplemental education program:

RETENTION: 6 years

b. Records relating to individual student not entered in supplemental education program:

RETENTION: 0 after student attains age 21, but not less than 6 years

◆9.[495] **Home language questionnaire, completed for student registration:**

RETENTION: 6 years after student graduates or would normally have graduated from high school

◆10.[496] **Records covering outside providers of supplemental education services**

NOTE: Records dealing with individual students, including specific requests to

receive services from outside providers, are covered by item no. 315, above.

- a. Lists of outside providers of services and lists of students receiving services from specific providers:
RETENTION: 1 year after superseded or obsolete
- b. Outside provider files, **excluding** contracts and legal agreements:
RETENTION: 6 years after outside provider no longer used by school district or BOCES
- c. Contracts or legal agreements with outside providers:
RETENTION: 6 years after expiration or termination or 6 years after final payment under contract, whichever is later

TAXATION AND ASSESSMENT

VALUATION AND ASSESSMENT

- 1.[283] **Equalization rate records**
- a. Certificate of final equalization rate, as determined by New York State Office of Real Property Services:
RETENTION: PERMANENT
 - b. Equalization rate determination records **other than** certificate of final rate, including but not limited to notice of tentative rate, data submitted and reports submitted to State Office of Real Property Services:
RETENTION: 3 years
- ◆2.[284] **Copy of tax map**, held by local government which **does not** conduct assessments, where official copy is held by county or municipality:
RETENTION: 0 after no longer needed

ASSESSMENT ROLL/TAX ROLL

- 1.[285] **Working papers or other intermediary records** used in preparation of, or in posting changes to, assessment roll or tax roll, including but not limited to assessor's notes, Record of Taxable Status and automated data file:
RETENTION: 3 years after filing of roll
- 2.[286] **Assessment and tax rolls** (including records relating to correction of errors on assessment and/or tax rolls)
- a. Final assessment roll:
RETENTION: 10 years after filing
 - b. Warrant copy of tax roll, including warrant or levy to collect taxes:
RETENTION: PERMANENT
 - c. Non-warrant copy of tax roll, when warrant copy is retained permanently:
RETENTION: 1 year after filing
 - d. Abstract of tax roll:
RETENTION: PERMANENT

- 3.[383] **Copies of tax grievance or judicial assessment review records** received by school districts, non-assessing villages and counties, including but not limited to copies of petition and notice filed pursuant to sections 708(3) and 730(8), Real Property Tax Law:

RETENTION: 1 year

NOTE: The receiving agency may wish to retain these records longer if the grievance or judicial assessment review may involve a substantial potential future tax refund.

TAX COLLECTION

◆ 1.[287] Tax collection records

- a. Tax collection data file; returned copy of tax bill; copy of receipt issued taxpayer; collector's daily accounts; receiving office tapes; records of overpayment, rebate or refund; record or notice of payment of post-due taxes; report on tax monies collected; request for extension of time to collect taxes; and similar records:

RETENTION: 6 years

NOTE: Documentation of payment of school taxes must be retained permanently as it may affect the title to real property. Usually this information will be found on the warrant tax roll (item no. 286b, above). If the warrant copy of the tax roll does not contain this information, then copies of paid tax bills or equivalent records must be retained permanently to document this tax payment information.

- b. Tax collection history data, containing summary tax collection history information, created from tax collection data file:

RETENTION: 0 after no longer needed

NOTE: Appraise these records for historical significance prior to disposition. This data may be useful for a number of years for convenience of reference, and may possibly have long-term historical value.

- c. Documentation of regular updates or corrections made to tax collection data file:

RETENTION: 6 years

◆ 2.[288] Statement or list of unpaid taxes or taxes due, or other lists, reports or studies relating to tax collection:

RETENTION: 6 years

3.[289] **Tax escrow account records**

- a. Notification of creation, transfer or termination of escrow account, when original record is maintained by county:
RETENTION: 1 year after transfer or termination of account
- b. Notification of creation, transfer or termination of escrow account, when original record is **not** maintained by county:
RETENTION: 6 years after transfer or termination of account
- c. List of tax escrow accounts:
RETENTION: 1 year after superseded or obsolete

MISCELLANEOUS

- 1.[290] **Informational listing or index** used in relation to taxation and assessment, including but not limited to lists of property owners, real estate transfers, address changes, exempt properties, filed grievances, tax redemptions, notice of bankruptcy or foreclosure proceeding, and billing addresses:
RETENTION: 1 year after superseded or obsolete
- 2.[291] **Records of apportionment of tax monies**
 - a. Annual certificate of apportionment sent to municipality or district:
RETENTION: **PERMANENT**
 - b. Apportionment records, **except** annual certificates:
RETENTION: 6 years
- 3.[292] **Tax search record**, including but not limited to record of searches conducted, abstract of search results, correspondence and memoranda:
RETENTION: 6 years
- 4.[293] **Tax levy and tax rate determination records** (including utility or other special tax imposed by city school district), including computation of constitutional tax margin and statement filed with State Comptroller's Office:
RETENTION: 6 years
- ◆5.[497] **Master summary record of real property transfers within area served by local government:**
RETENTION: 0 after no longer needed, but not less than 6 years

NOTE: Appraise these records for historical significance. These records, compiled from real property transfer reports received from the county, may have continuing value for historical or other research. Contact the State Archives for additional advice.

- ◆6.[498] **School property tax report card**, prepared for ensuing school year as part of the school budget process:
RETENTION: PERMANENT

TEACHER RESOURCE AND COMPUTER TRAINING CENTER

- ◆ 1.[294] **Annual and semi-annual statistical, narrative and fiscal reports** submitted to the State Education Department:
RETENTION: PERMANENT

- 2.[295] **Course records**
 - a. Official copy of brochure or other publication announcing and describing courses to be offered:
RETENTION: PERMANENT

 - b. Attendance records for course:
RETENTION: 1 year

 - c. Other course records, including course proposal:
RETENTION: 6 years

- ◆ 3.[296] **Workshop records**
 - a. Official copy of brochure or other publication announcing and describing workshops to be offered:
RETENTION: PERMANENT

 - b. Attendance records for workshop:
RETENTION: 1 year

 - c. Records of credits awarded for workshop attendance (if applicable):
RETENTION: 0 after posted to individual earnings (in-service) credit record

NOTE: If credits are awarded for workshop attendance, and these are not posted to individual earnings (in-service) credit record, these records must be retained for 55 years.

 - d. Other workshop records:
RETENTION: 6 years

- ◆ 4.[297] **Individual earnings (in-service) credit record**, including information on courses attended and credits earned:
RETENTION: 75 years after date of birth of employee or 55 years after

earliest document in file if date of birth is not known

NOTE: Schools and BOCES should maintain records of individual earnings (in-service) credits as part of personnel files. See item no. 199 in the Personnel/Civil Service section.

5.[298] **Course and workshop registration records**, including but not limited to course registration and approval form, registration acknowledgement and rejection or cancellation notice:

RETENTION: 1 year

6.[299] **Course evaluation and survey records**

a. Official copy of evaluation or survey form and instructions:

RETENTION: 6 years

b. Summary of evaluation or survey results:

RETENTION: 6 years

c. Individual returned evaluation or survey forms:

RETENTION: 0 after summary of results completed

7.[300] **Listing of canceled courses or workshops:**

RETENTION: 1 year

8.[301] **Grading and scoring records for individual teacher**, including records of grading and scoring of college level courses attended:

RETENTION: 2 years

TRANSPORTATION

SCHOOL BUS ROUTING AND SCHEDULING

NOTE: Some school districts and BOCES employ automated systems to handle their school bus routing and scheduling. Some of these systems have Geographic Information System (G.I.S.) capabilities, permitting the use of computer mapping to assist in the bus routing and scheduling, and having the ability to perform some analysis of spatial data. The items below are meant to cover not only electronic records contained in these automated systems, but also maps, reports and other system output maintained in both traditional hard copy and electronic format as well. These items also cover manually-generated records of districts and BOCES which do not employ automated systems for bus routing and scheduling.

Some school bus routing and scheduling G.I.S. contain components permitting mapping and other spatial data analysis useful in other areas, such as planning for facility construction and reorganizing school boundaries within a district. While these records cover functions broader than merely bus routing and scheduling, because these records are contained in and generated by bus routing and scheduling systems, these planning-related records are listed below.

◆1.[386] **Automated road/street file or data layer contained in school bus routing and scheduling G.I.S.:**

RETENTION: Maintain as updated data file as long as system is in use, and for 1 year after system upgraded or replaced.

◆2.[387] **Automated student data file contained in school bus routing and scheduling G.I.S. or other automated system, used primarily for school bus routing and scheduling:**

RETENTION: Maintain as updated data file as long as system is in use, and for 1 year after system upgraded or replaced

NOTE: If this data file also serves as the basic data file of an automated student information system (see item no. 378 in the Student Records section, Student Information Systems and Related Records subsection), or if no automated student information system exists and this data file constitutes the school district's or BOCES' only record listing and providing basic information on all students, the school district or BOCES should consider permanent retention of the basic data elements. See note to item no. 378 for additional information.

◆3.[389] **Automated individual school information data file (sometimes contained in school bus routing and scheduling G.I.S.) containing basic data on school building and its administration, and summary student information, for each school within a district:**

RETENTION: Maintain as updated data file as long as system is in use, and

for 6 years after system upgraded or replaced.

- ◆4.[499] **Transportation-related system operation history file**, containing significant data and/or periodic data snapshots, generated from detailed system data

NOTE: Appraise these records for archival value. History files may contain valuable information to document system operation over a period of time. Contact the State Archives for additional advice in this area.

- a. When created at regular intervals, such as annually:
RETENTION: 0 after no longer needed
- b. Created when data from this file is used in conjunction with planning reports, studies or special projects:
RETENTION: Retain as long as the reports, studies and other principal records for which the history file or snapshots are created are retained.

- ◆5.[500] **Records of updates, corrections and confirmations to data files** used in automated transportation-related systems, including assignments:
RETENTION: 1 month

- ◆6.[302] **Transportation-related routing and scheduling reports, studies or data queries**, including documentation of macros, queries, and reports:
RETENTION: 0 after no longer needed

NOTE: Appraise the records for archival value. Certain reports and studies may be valuable for long-term planning and for historical and other research. Contact the State Archives for additional advice.

NOTE: Macros or queries are created for a number of reasons. For example, an automated system might be used to produce maps and reports which recommend and lead to construction of an additional elementary school in a school district. In this case, the system output reports and maps should be retained permanently. The State Archives recommends that any macro or query created as part of this process also be retained as long as the resulting report or study. See also item no. 391, below.

- 7.[305] **School bus route schedule, map or diagram**, including such information as locations and times of stops and number of students transported

- a. Schedule, map or diagram produced periodically to show routes usually traveled by school buses:
RETENTION: 6 years after superseded or obsolete

- b. Schedule, map or diagram produced daily or for each trip, showing route traveled on particular day or trip by school bus:
RETENTION: 1 month

8.[390] **Routine correspondence and similar records relating to school bus routing and scheduling**, included but not limited to letters and maps of bus routes sent to parents and correspondence received relating to updating information on bus routes and schedules:

RETENTION: 1 year

◆9.[391] **Planning studies conducted using school bus routing and scheduling or other automated system**, covering areas such as new school facility construction and alteration of boundaries within district

- a. Official copy of publications, videotapes, or informational literature prepared for public distribution:

RETENTION: PERMANENT

- b. Final maps, plans, statistical tables, reports and studies:

RETENTION: PERMANENT

- c. Background materials and supporting documentation:

RETENTION: 6 years after project completed, or after date of final entry in record

◆10.[501] **System operational records of original entry** created in non-automated system or used for data entry or verification, where significant information is data entered or posted to reports and other summary records, including but not limited to tachographic charts and other records generated by vehicle data recorders:

RETENTION: 0 after no longer needed for administrative or legal purposes and relevant information posted to summary record

NOTE: Records custodians should consult their attorney or counsel before these records are disposed of regarding any potential legal value. Recordings of serious incidents may warrant longer retention for legal reasons. Tapes or other records generated by data recorders should be retained until legal action is resolved.

OTHER TRANSPORTATION RECORDS

1.[303] **School bus driver qualification file**, including but not limited to driver training certificates, character references, application for employment, physical examination, driving examination and training records:

RETENTION: 6 years after termination of employment

2.[304] **School bus purchase and capacity approval application records:**

RETENTION: 0 after no longer needed

NOTE: This item does not cover school bus purchase files, which are covered by item no. 259 in the Fiscal section, Purchasing subsection of this Schedule, and school bus maintenance files, which are covered by item no. 250 in the Public Property and Equipment section.

3.[306] **School bus ridership list or pupil transportation eligibility record for common carriers and contract yellow buses, including names of students for each trip:**

RETENTION: 6 years

4.[308] **Driver's daily log report:**

RETENTION: 6 years

5.[309] **Non-public school pupil transportation records, including parental requests and consents:**

RETENTION: 3 years

6.[392] **School bus safety drill records:**

RETENTION: 3 years

7.[395] **Field trip records, including but not limited to trip request data; bus driver, staff and chaperone assignments; list of attendees and trip reports:**

RETENTION: 6 years after date of most recent entry

◆8.[396] **Commuter traffic reduction program records, covering Employee Commute Option (ECO), Transportation Demand Management (TDM), or similar program records**

- a. Compliance plan (initial or consolidated), including but not limited to such records as worksite profile, survey results, average passenger occupancy (APO) calculations, forecasted participation, summary of trip reduction strategies, list of worksites and implementation schedule, and also covering revisions and updates, including records relating to agency review, approval, disapproval and appeal (copies maintained by local government acting as Local Administrative Agency):

RETENTION: 6 years after superseded or obsolete

NOTE: Appraise these records for archival value. These records may be useful in providing information on relieving traffic congestion problems in certain urban areas. Contact the State Archives for additional advice.

- b. Compliance plan (initial or consolidated), including but not limited to such records as worksite profile, survey results, average passenger occupancy (APO) calculations, forecasted participation, summary of trip reduction strategies, list of worksites and implementation schedule, and also covering revisions and updates (copy maintained by local government employer):
RETENTION: 3 years after superseded or obsolete

- c. Bi-annual maintenance report (copy maintained by local government employer or local government acting as Local Administrative Agency):
RETENTION: 6 years

- d. Information on potential participants, including list of applicants and individual employee surveys:
RETENTION: 3 years

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